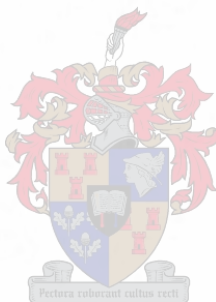


**HEKWAGTERSKAP TYDENS DIE WAARHEIDS-EN-
VERSOENINGSKOMMISSIE SE SITTING OOR CHEMIESE EN
BIOLOGIESE OORLOGVOERING SOOS GEREFLKTEER IN DRIE
KAAPSTADSE DAGBLAAIE**

J.A. FERREIRA



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KAAPSTADSE DAGBLAAIE**

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Tesis ingelewer ter gedeeltelike voldoening aan die vereistes vir die graad van M.Phil
in Joernalistiek in die fakulteit Lettere en Wysbegeerte aan die Universiteit van
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Studieleier: Prof. George Claassen

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Ek, die ondergetekende, verklaar hiermee dat die werk in hierdie tesis vervat, my eie
oorspronklike werk is en dat ek dit nie vantevore in die geheel of gedeeltelik by enige
universiteit ter verkryging van 'n graad voorgelê het nie.

Baie dankie aan almal wat gehelp het om brandstof in my tenk te hou met die aanpak van hierdie studie: my studieleier, prof. George Claassen, adv. Martin Coetzee, hoof uitvoerende beampte van die WVK, Bun Booyens, joernalistiekdosent, en joernalistieke kollegas wat ingestem het tot gesprekke ter uitvoering van my opdrag – verskeie het nie kans gesien nie. 'n Groot dankie aan my pa, Mike, ma, Judith, en vier broers, Fanie, Boetie, Johan en Elmar. 'n Baie spesiale dankie aan my vrou, Ina, en seun, Eon. Alle eer aan God vir al sy genade.

Opsomming

Toe gerugte in 1998 die rondte begin doen het dat oudpres. Nelson Mandela en mev. Graca Machel trouplanne het, het Mandela se woordvoerder, Parks Mankahlana, dit heftig ontken. Mankahlana was die hekwagter wat besluit het watter inligting oor Mandela se trouplanne aan die wêreld deurgelaat word. Die hele episode het op 'n halwe verleentheid vir die president se kantoor uitgeloop met Mandela wat op daaropvolgende mediakonferensies verwoed probeer skerm het vir Mankahlana en dit 'n geval geword het van wie het gelieg en wie het vir wie opdrag gegee om sus of so te sê en wie het wat in watter stadium geweet, ens.

'n Soortgelyke episode het hom afgespeel met 'n sluipmoordaanval op pres. Ronald Reagan van Amerika in 1981. Aanvanklik het sy mediakantoor ook die hekke redelik styf toe gehou deur te beweer hy is net lig beseer. Later het dit geblyk hy was veel ernstiger beseer as wat die Wit Huis aanvanklik bereid was om te erken.

Suid-Afrika se Waarheids-en-versoeningskommissie het tussen 1996 en 1998 kragtens wet menseregteskendings sedert 1960 ondersoek. Die Suid-Afrikaanse en buitelandse media het 'n stewige uitdaging op hande gehad om talle gruwels uit die monde van getuies in verteerbare dosisse die wêreld in te stuur.

'n Mate van lesersweerstand vir “slegte nuus” wat lesers “magteloos” laat voel het, is nietemin deur mediabestuurders by veral Kaapstad se twee Engelstalige dagblaie bespeur en 'n versigtige aanslag moes gevolg word. Die WVK kon nie geïgnoreer word nie, maar die dikwels bloederige besonderhede wat daar aan die lig gekom het, kon nie blindelings in lesers se keelgate afgedruk word nie. Hekwagterskap moes met groot omsigtigheid gepleeg word. Die nuusfilters moes delikaat reguleer word.

In hierdie studie word gepoog om hekwagterskap te illustreer by wyse van 'n ontleding van die dekking wat die drie dagblaie in Kaapstad, die Cape Argus, Cape Times en Die Burger, verleen het aan een van die Waarheids-en-versoeningskommissie se opspraakwekkendste sittings. In Junie en Julie 1998 het sowat tien mans, op een na almal dokters, doktore of generaals, getuig oor hul betrokkenheid by die opbou van Suid-Afrika se chemiese en biologiese

wapenarsenaal. Verslaggewers het voor 'n groot uitdaging te staan gekom om by te bly met die joernalistieke eise wat tydens hierdie sitting gestel is.

In hierdie studie word gekonsentreer op beriggewing oor vier prominente getuies se weergawes, naamlik dr. Wouter Basson, gewese projekteur van Suid-Afrika se chemiese en biologiese wapenprogram, sy bevelvoerder, lt.-genl. Niel Knobel, voormalige geneesheer-generaal, genl. Lothar Neethling, oud-hoof van die polisie se forensiese laboratorium, en dr. Jan Lourens, biomediese ingenieur en die eerste een wat sy plek in die getuiestoel ingeneem het.

Gesprekke is gevoer met nege joernaliste by die drie koerante ten einde hul beskouings en persepsies te peil ter illustrasie van hekwagterskap en hoe dit hekwagterskap beïnvloed het. Aspirant-mediabestuurders, sowel as mediabestuurders, verslaggewers – almal wat hekwagtersrolle vertolk – sal hierdie studie straks leersaam vind ter verfyning van hul kundigheid.

Summary

When rumours started circulating in 1998 that former president Nelson Mandela and Mrs Graca Machel were about to get married, Mandela's spokesman at the time, Parks Mankahlana, vehemently denied them. Mankahlana was the gatekeeper who decided what information about Mandela's impending marriage would be made available to the rest of the world. The entire incident became somewhat of an embarrassment for Mandela's office, resulting in the former president trying hard to cover for Mankahlana at subsequent media conferences. In the end it became a case of trying to unravel who had lied to whom, who had given whom instructions to say what, and who had been in the know and at what stage, etc.

A similar incident ensued following an assassination attempt on former American president Ronald Reagan in 1981. Initially his media office kept the gates firmly shut by alleging he had been only slightly injured. Later it emerged he'd been much more seriously injured than the White House had initially intimated.

Between 1996 and 1998 South Africa's Truth and Reconciliation Commission investigated human rights violations since 1960. The South African and foreign media were faced with the challenge of presenting witness accounts of the numerous atrocities in a palatable form.

Despite these attempts media managers at Cape Town's two English-language dailies in particular detected a measure of reader resistance to 'bad news' which made readers feel 'powerless', and they consequently had to adopt a careful approach. The TRC could not be ignored, but the often gruesome details which came to light could not willy nilly be stuffed down readers' throats. Gatekeeping had to be exercised with the greatest circumspection and the news filters prudently regulated.

This study attempts to illustrate the concept of gatekeeping by analysing the coverage the three Cape Town dailies, the Cape Argus, Cape Times and Die Burger, gave the most sensational sessions of the Truth and Reconciliation Commission. In June and July 1998 about 10 men, each of them doctors or generals, gave evidence about their

involvement in the stockpiling of chemical and biological weapons for South Africa's arsenal. Reporters were confronted with a major challenge to comply with the journalistic rigours set by this session.

This study concentrates on reports of the different version of events given by four prominent witnesses, Dr Wouter Basson, former project leader of South Africa's chemical and biological weapons programme, his commanding officer and former surgeon general Lieutenant General Niel Knobel, General Lothar Neethling, former head of the police's forensic laboratory, and Dr Jan Lourens, biomedical engineer and the first witness to take the stand.

To illustrate the phenomenon of gatekeeping interviews were held with nine journalists at the three newspapers to determine their views and perceptions, and the effect of these on the phenomenon of gatekeeping. Aspiring media managers, media managers, reporters and anyone performing a gatekeeping role may find the findings of this study useful.

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Bylaes

Transkripsies van getuienis gelewer op die WVK se sitting oor chemiese en biologiese oorlogvoering in Junie en Julie 1998 in Kaapstad.

Foto: Dr. Jan Lourens

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1. Inleiding

*'n Vrye pers is die waaksame wagter
van elke ander reg wat vry mense nastreef;
dit is die gevaarlikste teenstander van
die tirannie - Winston Churchill*

Suid-Afrika se Waarheids-en-versoeningskommissie (WVK) moes kragtens die Wet op die Bevordering van Nasionale Eenheid en Versoening menseregteskendings tussen 1960 en 1994 in Suid-Afrika ondersoek. Dit het hy van einde 1996 tot middel 1998 probeer doen, nadat sewentien WVK-kommissarisse in 'n benoemingsproses aangewys is. In die proses moes die WVK versoening probeer bevorder, kort op die hakke van die eerste demokratiese verkiesing in 1994.

Die gewraakte tydperk van apartheid (ongeveer 1948 tot 1994) met sy swaar klem op rasse-onderskeid in talle wette was pas verby, maar die letsels op haas elke terrein – fisiek, emosioneel, omgewing, sielkundig – sal nog lank, indien nie altyd nie, in dié land aan die suidpunt van Afrika te sien wees.

Die WVK het oor sowat twee jaar landwyd sittings (nie verhore nie) gehou waar inligting ingesamel is oor menseregteskendings. Benewens die sittings oor menseregteskendings het die WVK ook 'n amnestiekomitee wat wel verhore hou, asook 'n afdeling vir reparasie en rehabilitasie wat onder meer ten doel het om geldelike vergoeding aan slagoffers van menseregteskendings (en hul naasbestaandes) uit te betaal.

Sowel die amnestiekomitee as die afdeling vir reparasie en rehabilitasie is tans nog besig om sy werk af te handel, maar die sittings oor menseregteskendings onder die vaandel van die komitee vir menseregteskendings het sy taak afgehandel en 'n finale verslag van oor die 2000 bladsye teen die einde van 1998 aan pres. Nelson Mandela oorhandig. Die verslag is onmiddellik openbaar gemaak vir enigeen wat dit wou lees. Na afloop van die amnestieproses sal sekere toevoegings tot die finale verslag wel

gemaak word oor nuwe inligting wat gedurende die amnestieproses aan die lig gekom het.

Een van die WVK se sittings het gehandel oor chemiese en biologiese oorlogvoering (CBO). Dit is in Junie en Julie 1998 in die WVK se hoofkantoor in Adderleystraat, Kaapstad, gehou. Sowat 20 dae se getuienis is in die tydperk aangehoor. Die transkripsies is meer as 2000 bladsye. Joernaliste het soos aasvoëls van oor die hele wêreld op die sitting oor CBO toegesak – en met reg – en aardskuddende inligting is deur die sowat tien getuies openbaar gemaak.

Soos, om enkele voorbeelde te noem, dat oudpres. Nelson Mandela die sentrale figuur in hierdie drama, dr. Wouter Basson, in 1995 op raaiselagtige wyse heraangestel het – boonop met 'n hoër rang (generaal-majoor) – nadat oudpres. F.W. de Klerk hom twee jaar tevore op pensioen laat plaas het, onder meer weens beweerde bedrog (Basson staan tans tereg op bedrogklagte van meer as R60 miljoen en verskeie ander klagte rakende dwelms, poging tot moord, ens.). En dat Amerika en Brittanje in 'n stadium die sterkste vorm van diplomatieke protes aangeteken het oor sekere gebeure rondom die CBO. Met Suid-Afrika se politieke oorgang in 1994 was daar in sekere kringe vrese dat sekere inligting “in die hande van die ANC sou beland”. In die getuienis het dit ook aan die lig gekom dat Basson soos 'n wafferse James Bond R244 miljoen, van die Vatikaan van alle plekke, wat vir wapenaankope bestem was, onderskep het.

In hierdie studie word, ter illustrasie van hekwagterskap, gekyk na die dekking wat die drie dagblaaie in Kaapstad (in alfabetiese volgorde) – Cape Argus, Cape Times en Die Burger - aan die CBO-sitting verleen het (Wouter Basson het op 'n Vrydag getuig, gevolglik is die Saturday Argus se berigte daaroor by die studie ingesluit). Watter inligting gepubliseer is en watter nie. En hoekom. Dit is gedoen deur die beriggewing te ontleed en gesprekke te voer met joernaliste by die drie dagblaaie ten einde die konsep van hekwagterskap, en wat dit beïnvloed het, te probeer illustreer.

Joernaliste se beoordeling van nuus tydens die WVK se sitting oor CBO kan nie geskei word van hul algemeen-holistiese beskouing van die WVK nie. Alle sittings van die WVK het teen 'n bepaalde agtergrond gebeur – hoe getuies hanteer is, watter vrae gevra is, watter emosies openbaar is deur getuies, slagoffers, WVK-

kommissaris, naasbestaandes in die gehoor, tolke en regsverteenvoerders van betrokkenes. En hoe langer die WVK funksioneer het, hoe duideliker is sy aanslag en sy hele kultuur gedefinieer. Dit geld soveel te meer vir die sitting oor CBO wat een van die heel laaste sittings was. Wie kan ooit die aangrypende beelde vergeet van hoe die WVK-voorsitter en Nobel Vredespryswenner in 1984, aartsbiskop Desmond Tutu, by verskeie geleenthede in die voorsitterstoel in tranes uitgebars het terwyl hy hartverskeurende getuienis van slagoffers moes aanhoor.

In die lig hiervan is joernaliste met wie onderhoude gevoer is, vir die doel van hierdie studie ook spesifiek gevra oor hul siening van die WVK in die algemeen. Dit is al meer as 'n jaar ná die bekendmaking van die finale verslag, gevolglik is daar die luukse van terugskoue en oordenking. Uiteraard is dan ook meer spesifiek op die CBO-sitting en die sentrale figuur, dr. Wouter Basson, gefokus.

Hoewel daar sowat tien mans getuig het, is vir die doel van hierdie studie op vier se getuienis gekonsentreer – dr. Wouter Basson, gewese projekteur van Suid-Afrika se chemiese en biologiese wapenprogram, sy bevelvoerder, lt.-genl. Niel Knobel, voormalige geneesheer-generaal, genl. Lothar Neethling, eertydse hoof van die polisie se forensiese laboratorium, en dr. Jan Lourens, bio-ingenieur en gewese hoof van die militêre frontmaatskappy Protechnic, wat die heel eerste getuie in die sitting oor CBO was.

Hoewel ander verwante berigte in die tyd gepubliseer is, soos die hofgeding tussen Basson en die WVK oor sy getuienislewering al dan nie weens sy hangende kriminele hofsaak en diepte-artikels oor die sentrale figuur in die drama, is spesifiek op die drie dagblaaie se hantering van die formele getuie voor die WVK-paneel gekonsentreer, soos in die transkripsies opgeneem (sien bylaes).

Die ander getuies het ingesluit drs. Schalk van Rensburg, Wynand Swanepoel, Daan Goosen, Philip Mijburgh, Johan Koekemoer en mnr. Charles van Remoortere.

In die gesprekke met 'n negetal dagbladjoernaliste was dit deurgaans 'n probleem dat spesifieke detail van 'n episode wat hom agttien maande gelede afgespeel het, nie onthou kan word nie. Die persoonlike gesprekke was nietemin waardevol om 'n

prentjie te kry van die betrokke koerante se algemene benadering tot nuus, persepsies oor die WVK as instelling, individue soos Tutu en Basson - alles faktore wat hekwagterskap beïnvloed en hoe berigging oor die WVK-sitting oor CBO aangepak is.

Jannie Ferreira

Kaapstad

Januarie 2000

2. Hekwagterskap

“Unlike interpersonal communication, the message in mass communication is controlled or influenced by a number of individuals, known as ‘gatekeepers’.” (De Beer 1998:9)

Volgens DeFleur & Dennis (1998:261) was die Amerikaanse joernalis David Manning White die eerste een wat die begrip “gatekeeping” ofte wel hekwagterskap gebruik het – reeds in 1950.

In die joernalistiek gaan dit oor seleksie en interpretasie. Sekere hekke word voortdurend opgesit. Filters laat sekere inligting deur vir die leser, luisteraar of kyker en weerhou ander inligting. Joernaliste in die gedrukte en elektroniese media moet dit daaglik doen. Met die voortdurende stortvloed inligting in omloop het niemand juis 'n keuse nie. Jou gehoor kry net wat vir hom deurgelaat word in die beperkte publikasieruimte of uitsaaityd.

Internetpublikasies het in 'n sekere sin onbeperkte ruimte, maar daar is gewis ook beperkings, soos dat die gemiddelde rekenaarskerm maar ongeveer 30cm by 20cm is en dat daar ook weer 'n beperkte ruimte is vir die skerm wat die leser met die eerste aflaaisslag begroet. Nog 'n belangrike beperking hier is die toeganklikheid – buiten dat die oorgrote meerderheid Suid-Afrikaners nie die nodige rekaartoerusting het of kan bekostig nie, is die aflaaispoed van 'n internetkoerant 'n bykomende beperking weens 'n verskeidenheid van redes, al het jy die heel modernste toerusting.

Die gevolg is dat jou elektroniese koerantredaksie eweneens die hekwagtersfunksie verrig – by uitstek as dit kom by die voorbladsamestelling om die duisende lesers te probeer boei wat eintlik net vinnig van die nuushoof trekke wil kennis neem.

Wat hierdie voortdurende, mettertyd meestal onbewuste taak van hekwagterskap beïnvloed en bepaal, is onmoontlik om heeltemal vas te pen. Elke mens (joernalis) het uiteraard sy eie kulturele agtergrond, oortuigings, vooroordele, lewenservaringe, voorkeure en afkeure en belangstellings – om net enkele te noem – wat sy of haar beoordelings van nuus noodwendig kleur.

Fink (1996:24) definieer die begrip “gatekeeper” as 'n “individual, such as an editor, in position to select or influence information that reaches the public” en voeg later by dat hul invloed nie onderskat moet word nie: “Call them ‘copy tasters’, ‘gatekeepers’ or ‘editors’, the desk people who handle thousands of words minute by minute greatly influence a newspaper’s content and its journalistic stance” (Fink 1996:213).

Dominick (1993:22) stel dit so: “A gatekeeper is any person (or group) who has control over what material eventually reaches the public. Gatekeepers exist in large numbers in all mass communication organizations.”

DeFleur & Dennis (1998:261) se omskrywing lui: “These processes of selection and elimination of details or even entire stories are called gatekeeping . . . within any news organization, there exists a complex set of criteria for judging a particular news story – criteria based on organizational policy, personal preferences, definitions of newsworthiness, conceptions of the nature of the relevant audience, and beliefs about fourth estate obligations.”

Redakteurs, assistent-redakteurs, hoofsubredakteurs, subredakteurs, nuusredakteurs, nagredakteurs, verslaggewers en sekretaresses kan almal 'n hekwagtersrol speel ten opsigte van berigte, nuus of nuuswenke wat aangebied word. Hul hantering van 'n telefoonoproep, faks, e-pos of persoonlike mededeling kan die betrokke inligting 'n stille dood laat sterf, soms ten regte en soms ten onregte, of die hantering daarvan kan tot enigiets van 'n beskeie brokkie tot 'n hoofberig op 'n koerant se voorblad lei.

McQuail (1983:125) wys daarop hoe hekwagterskap beïnvloed word deur teikengehore. 'n Koerantredaksie wat 'n profiel van sy teikenlesersgroep tot sy beskikking het, sal dit meestal in die agterkop hou in die hantering van nuus.

Hy wys ook op die rol wat koste speel. Om sekere nuus in die hande te kry kos eenvoudig baie meer geld as ander, wat noodwendig die eindproduk beïnvloed. Dit kos geld om meer verslaggewers aan te stel, by nuusagentskappe in te skryf, of verslaggewers en fotografe per motor of vliegtuig na gebeure te stuur.

Koste kan op 'n ander, twyfelagtiger manier, uiteraard ook hekwagterskap beïnvloed. Waar 'n skandaal of hofgeding bv. 'n groot adverteerder in die betrokke publikasie tref, kan die versoeking bestaan om dit minder prominent aan te bied of selfs “verby te laat gaan” met die stroom inligting wat daaglik nie die blaai of uitsaaityd haal nie. Dieselfde geld die gebruik van “sagte nuus” wat meestal nie die koerant haal nie – waar 'n groot adverteerder betrokke is, kan dit ter wille van goeie verhoudinge maar gebruik word ten koste van sterker berigte of foto's (dink maar aan vervelige tjekoorhandigings), veral bv. as 'n versoek van die advertensie-afdeling ontvang is. Oorbodig om te sê redaksionele onafhanklikheid is by tye ietwat in die gedrang hieroor.

Die bestaan van stewige kompetisie in die media is egter in 'n groot mate 'n natuurlike kontrolemeganisme wat oormatige nuusmanipulering in toom hou. Die vrees dat 'n opposisiekoerant, radiostasie of internetkoerant dieselfde storie gaan gebruik, temper potensiële misbruik of bymotiewe by hekwagters.

DeFleur & Dennis (1998:260) laat mens dink: “Real people invest real dollars in newspapers, magazines, broadcasting stations, cable, and on-line systems. Logically enough, they expect to make real profits. What critics protest is not so much the idea that media owners make a return on investment, but what the owners do to maximize their profits. However, Americans value a profit-driven market economy – so much so that we now avidly support its development in all parts of the world. There is no denying that the profit motive will continue to exert powerful influences on what the public receives as news.”

Die nuushekwagter is een van vele wat as filteragent en versamelaarsagent optree (McQuail 1983:114). Daar is roumateriaal wat kom van skakelondernemings, uitgewers, radiostasies, filmmakers en talle ander.

“Through processes of mutual review and cross-reporting, gatekeepers in one medium act for another – e.g. radio for music, newspapers for books, television for films, etc. That this happens does not necessarily lead to collusion, but it reinforces tendencies for different media organizations within the same national system to cooperate and

offer similar content, with potentially negative consequences for the diversity of the view of the world that the media allow to be seen” (McQuail 1983:115).

Die konsep “infotainment” speel ook in sekere media 'n al hoe belangriker rol, soos DeFleur & Dennis (1998:262) dit stel: “Out of these transformations of news substance came the concept, *infotainment* – a merging of information and entertainment – and now an important criterion for gatekeeping. From all that is available to news directors and editors, many selections appear to be made for their entertainment value, rather than because of their newsworthiness or their essential importance to society.”

Hiebert et al (1991:14) nuanseer die rol van hekwagters soos volg: “As in the military, there are gatekeepers within mass-media organizations: individuals such as wire-service editors, television network continuity personnel, or motion-picture theatre managers make decisions about what is communicated and how. They are not usually originators of content; instead, they function internally eliminating content; they can delete, insert, emphasise, or de-emphasize content according to a variety of standards – aesthetic, financial, and those stemming from a professional or organizational code.”

3. Cape Argus

3.1 Ontleding van beriggewing tydens WVK se CBO

Dekking verleen tydens die WVK se sitting oor CBO aan getuienis van drs. Jan Lourens, Niel Knobel, Lothar Neethling en Wouter Basson.

Dinsdag 9 Junie 1998

Verslaggewer: John Yeld

Bladsy 4

Hoofberig

Opskrif: How boffin made deadly 'James Bond toys' for SADF's secret war

Onderkop: Fertility tests linked to bid to cut black birth rate

Inleiding: James Bond-type assassination weapons, including walking-sticks, umbrellas, bicycle pumps and screwdrivers that shot or injected deadly poisons were developed by the old defence force.

Inhoud:

- Genl. Kat Liebenberg, voormalige weermaghoof, het hierdie soort wapens as sy speelgoed beskryf.
- Dr. Wouter Basson was oudpres. P.W. Botha se dokter en hy was eers verbonde aan Spesiale Magte en later 7 Mediese Bataljon.
- Lourens was 'n biomediese ingenieur en het verwys na die gebruik van diere in vrugbaarheidseksperimente met die oog op die verlaging van die swart bevolking se geboortesifer. Asook die vasgespe van bobbejane om traangas te toets, die ontwikkeling van 'n gaskamer om die uitwerking van giftige chemiese sproeimiddels te toets en die gebruik van honde, bobbejane en moontlik 'n sjimpansee in ander chemiese en biologiese eksperimente.
- Die James Bond-toestelle is deur Phil Morgan ontwikkel.
- 'n Ring met 'n bêreplek vir gif om 'n drankie mee te vergiftig is ook ontwikkel.

- Lourens moes sluipmoordwapens bêre vir Danie Wahl, tweede in bevel van die BSB (Burgerlike Samewerkingsburo), waaronder twee bokse waspoeier met plofstof in en ontstekers vir briefbomme.
- Lourens het in 1992 en 1993 'n hartsverandering begin ondergaan oor die groot bedrag geld wat op die projek bestee word.
- Lourens was ook bekommerd oor R160 000 wat verdwyn het en op Projek Skroewedraaier bestee is.
- Volgens Lourens wou mnr. Roelf Meyer, destyds Minister van Verdediging, hom nie ontvang nie toe hy sy kommer hieroor met hom wou gaan bespreek.
- Genl. Kat Liebenberg, gewese leerhoof, het vir hom gesê hy moet onthou dis sy (Liebenberg se) speelgoed en hy wil dit terughê. Liebenberg en Lourens het twee whiskeys saam gedrink en dit was die einde van Lourens se betrokkenheid.
- Lourens het van die geheime toestelle op 'n plaas in die destydse Noord-Transvaal gaan begrawe. Later is dit opgegrawe en aan die Transvaalse prokureur-generaal, Jan d'Oliveira, oorhandig.
- Lourens het gesê dit is kaf dat Projek Coast net defensief was.

Dinsdag 9 Junie 1998

Verslaggewer: John Yeld

Bladsy 4

Opskrif: Toxic gadget that nearly killed maker

Inleiding: Chemical and biological warfare operative Jan Lourens said he nearly died after accidentally wiping his mouth with poison spilt while loading a screwdriver-like assassination weapon.

Inhoud:

- Lourens het die betrokke skroewedraaier-toestel in opdrag van Wouter Basson aan 'n agent op die Engelse dorp Ascot gedemonstreer.
- Hy het badkamer toe gestorm en 'n bottel Dettol uitgedrink. Kort daarna het hy sy bewussyn verloor, opgebring en het vir 'n ruk sy sig verloor.
- Wouter Basson en Philip Mijburgh was uiters skepties daaroor. Volgens hulle behoort 'n enkele druppel van die vloeistof tot die dood te lei.

Dinsdag 9 Junie 1998

Verslaggewer: John Yeld

Bladsy 4

Opskrif: Attorney apologises for 'intimidation'

Inleiding: Attorney Hennie du Plessis appearing at the Truth Commission hearing for former SADF Surgeon-General Niel Knobel, was ordered to apologise to Jan Lourens for making a derogatory remark.

Inhoud:

- Du Plessis het na Lourens as 'n "martelgat" verwys. Lourens het onmiddellik gesê hy neem aanstoot. Du Plessis het dit dadelik teruggetrek.
- Dumisa Ntsebeza (voorsitter van die WVK-paneel) het dit as 'n vorm van intimidasie beskryf en gesê Lourens het alle rede om aanstoot te neem.

Vrydag 12 Junie 1998

Bladsy 6

Verslaggewer: John Yeld

Hoofberig

Opskrif: The LSD war: How Le Grange planned to tame rioting mobs

Onderkop: 'Let's get the stone-throwers stoned'

Inleiding: A bizarre plan to turn angry, stone-throwing rioters into happy, peace-loving citizens by firing gas canisters containing LSD, Mandrax or dagga at them was approved by law and order minister Louis le Grange in the 1980s.

Inhoud:

- Neethling het in 1983 as hoof van die polisie se forensiese laboratorium opdrag gekry om 'n vergadering in die kommissaris van polisie, genl. Johann Coetsee, se kantoor by te woon. Die destydse geneesheer-generaal, Nicol Nieuwoudt, was ook daar. Genl. Constand Viljoen, leier van die Vryheidsfront wat destyds hoof van die weermag was, moes ook die vergadering bywoon, maar was afwesig.

- Neethling het opdrag gekry om Wouter Basson, hoof van die weermag se chemiese en biologiese wapenprogram, te help waar nodig en hom van dwelmmiddels uit sy laboratorium te voorsien. Dwelms wat deur die polisie gekonfiskeer is, is hier gestoor.
- Volgens Neethling was Basson besig om beter metodes vir skarebeheer na te vors. Een van die voorstelle was om 'n alternatief vir traangas te ontwikkel wat 'n skare se aggressie sal verminder - 'n middel wat jou veggees afkoel en jou klipgootlus temper.
- Nadat Neethling die opdrag van Le Grange ontvang het, het hy Basson van tussen 100 000 en 200 000 Mandrax tablette voorsien, vyf sakke dagga van 50 kg elk en “nie meer as” 5000 LSD tablette nie.
- Op 'n vraag hoekom so baie LSD voorsien is, het Neethling gesê daar het eintlik baie min oorgebly nadat net die aktiewe bestanddeel uit die LSD verwyder is, “Ek weet nie hoeveel nie, maar jy kan teoreties 50 000 mense met net 5 mg ‘op 'n trip sit’ . Ek woon agter 'n raveklub, en ek kan jou verseker dit is nie 'n aangename ervaring nie. Met net twee Ecstasy tablette rave hulle regdeur van Vrydag tot Sondag”.
- Op 'n vraag of die eksperiment suksesvol was, het Neethling gesê: “Dis duidelik dit het nie gewerk nie, want ons het nooit weer daarvan gehoor nie.”
- Neethling het nie vir 'n enkele oomblik gedink Basson gebruik enige van die middels wat hy onwettig voorsien het nie. “Ek het nie vir 'n oomblik gedink Basson sou een mikrogram daarvan vir homself gebruik nie, of aan enigeen verkoop nie. Ek glo dit vandag nog.”
- Neethling het vererg ontken dat hy hoegenaamd by die offensiewe deel van die program betrokke was of dat hy ooit gifstowwe aan Basson of die polisie verskaf het. “Ek is 'n konserwatiewe Afrikaner wat in die NG Kerk grootgeword het. Ek glo nie in moord nie. Is dit goed genoeg?” wou hy van die WVK se getuienisleier, Hanif Vally, weet.
- Neethling het sterk gereageer toe hy gevra is om kommentaar te lewer op twee weermagdokumente. Luidens die eerste een is hy volledig ingelig oor 'n projek om vir die weermag 'n offensiewe en defensiewe chemiese en biologiese oorlogvoering-vermoë te ontwikkel, maar dit lui verder dat Neethling bitter kan wees omdat hy betrek is by 'n hofsak oor BSB bedrywighede en hy kan as gevolg daarvan beskou word as 'n “gewonde leeu”.
- Die tweede dokument is gebruik ten tyde van die ondersoek na vuilspel in die weermag wat deur genl. Pierre Steyn gelei is. Die verslag aan oudpres. F.W. de Klerk het daartoe gelei dat Basson en 23 ander senior offisiere gevra is om vroeg af te tree.

- Die dokument lui dat daar “sterk bewerings” was dat 'n groep van Spesiale Magte onder die leierskap van Basson gevestig is om elimineringsopdragte uit te voer en dat Neethling “intiem betrokke” was. Neethling het die bewering woedend ontken. “Wie ookal hierdie dokument opgetrek het, moet sy kop laat lees. Dis 'n klomp kaf. Ek is kwaad. Die opsteller hiervan is 'n maniak en 'n leuenaar.” Die tweede dokument is “in dieselfde kategorie”, het Neethling bygevoeg.

Vrydag 19 Junie 1998

Bladsy 5

Verslaggewer: John Yeld

Opskrif: Basson: TRC told of secret Mandrax deal

Onderkop: ‘Slush fund’ used to bribe officials

Inleiding: Secret dealings between Croatia and agents of the apartheid government to buy half a ton of methaqualone, the active ingredient of Mandrax, have been described to the Truth Commission.

Inhoud:

- Die Mandrax sou glo gebruik word om 'n inkapasiteermiddel te ontwikkel vir aanwending in wapens, het genl. Niel Knobel getuig.
- 'n Misterieuse karakter genaamd dr. Chu is \$36 000 betaal om Wouter Basson te help nadat hy in Switserland in hegtenis geneem is. Chu moes help om getuienis van Basson se vorige aankope en navorsing in Switserland te versteek.
- Basson was projekoffisier van Projek Coast. Die naam is om veiligheidsredes later verander na Projek Jota.
- Knobel het getuig dat hy vir 'n geruime tyd bekommerd was oor Basson se hantering van die chemiese en biologiese wapenprogram se geldsake, maar Basson het herhaaldelik ontken dat hy by enige bedrog betrokke is of by enige derde mag-bedrywighede. Basson het ook gesê hy is oortuig hy word verwar met ander mense ook bekend as W. Basson. “Ek het geen rede gehad om hom nie te glo nie. Dit is duidelik die weermag en die hele kabinet het volle vertroue in hom gehad,” het Knobel gesê.

- Volgens Knobel het dit eers in 1994 duidelik geword dat Basson buite die mandaat van die program opgetree het en moontlik sekere aspekte misbruik het, nadat agente van die Nasionale Intelligensiediens sekere inligting aan hom voorgelê het.
- Knobel is uitvoerig uitgevra oor 'n dokument wat “uiters geheim” en “enigste kopie” gemerk was en wat deur Basson geskryf en onderteken is. Die opskrif van die verslag het gelui: “Finale Verslag: VSA dollar voorskot” en dit is gedateer 7 Mei 1994. Dit is opgestel ten einde kommer oor wanbesteding op te klaar. Luidens die verslag is Basson \$75 000 kontant van 'n frontmaatskappy van Militêre Inligting voorgeskiet.
- Dit is in November 1991 ses maande vooruitbetaal ter delging van uitgawes vir vlugte om “monsters en materiale” oor Afrika uit Europa te versend, en om vir brandstof, landingsfooie en “diskresionêre” uitgawes te betaal. Laasgenoemde was kontantuitbetalings aan veiligheidspersoneel op lughawens wat vrag moes inspekteer en goedkeur.
- Die uitbetalings het ingesluit: \$12 000 aan die veiligheidshoof van die Ndjamenalughawe in Tsjad in Desember 1991; \$5 000 aan doeane-amptenare by die Doualalughawe in Kameroen om te voorkom dat die vliegtuig deursoek word; \$10 000 aan Kroatiese grenswagte in September 1993 om Basson die land binne te laat sodat hy samesprekings met regeringsamptenare kon voer; nog \$10 000 aan Kroatiese leëroffisiere om vir Basson afsprake te reël met “betrokke regeringsamptenare en bankiers”.
- Basson het agterstallige skulde in Kroasië gaan probeer invorder wat deur die program daar verloor is, toe 'n agent in hegtenis geneem is. Basson is self in Desember 1993 in Switserland in hegtenis geneem. Luidens die transaksieverslag is Chu op 24 Maart \$36 000 betaal vir uitgawes rakende Basson se inhegtenisneming.
- Dit het ingesluit reisuigawes van \$2500 omdat Chu gedagvaar is om in Zürich te verskyn; die proaktiewe sluiting van rekeninge en kansellering van veiligheidskluis wat Chu met Basson kon verbind het in die Switserse polisie-ondersoek – “Chu was toe nog onseker oor wat die polisie ondersoek en watter dokumente gevind is”; \$28 000 vir die vernietiging van twee rekenaar-hardeskywe met inligting oor Basson se aankope en navorsingsaktiwiteite in Switserland ten einde te verhinder dat dit in die polisie se hande beland.
- Luidens die verslag is die totale bedrag van \$75 000 deur Knobel “gesertifiseer” as uitgawes wat wettiglik kragtens die program aangegaan is.

- Op 'n vraag hoe hy die verslag kon sertifiseer as hy al verskeie maande geweet het Basson misbruik sy posisie, het Knobel gesê hy het dit eers aan die weermag se koördinerende bestuurskomitee voorgelê, wat dit goedgekeur het.
- Knobel het bevestig dat omkoopgeld gereeld betaal is as deel van die chemiese en biologiese wapenprogram.

Vrydag 26 Junie 1998

Verslaggewer: John Yeld

Bladsy 6

Opskrif: State broke the law to uphold the law, TRC told

Onderkop: Dumping of chemicals into sea contravened London Convention

Inleiding: When FW de Klerk's government dumped drugs in the sea so that South Africa could comply with an international convention on chemical weapons, it probably contravened another banning uncontrolled dumping.

Inhoud:

- 'n Amptelike vlug deur 'n vliegtuig van die SA Lugmag is gereël om 'n groot hoeveelheid dwelmmiddels in Januarie 1993 in die see te stort, het Knobel getuig.
- Die dwelmmiddels, wat Mandrax en Ecstasy ingesluit het, is in Kroasië vervaardig of aangekoop en is gebruik in navorsing vir die ontwikkeling van inkapasiteermiddels (wapens wat mense kalmeer of buite aksie stel).
- Die idee was om Mandrax as inkapasiteermiddel (“incapacitating agent”) te gebruik in wapens soos granate.
- Die storting moes voldoen aan die voorwaardes van die Chemiese Wapenskonvensie, wat Suid-Afrika toe pas onderteken het.
- Maar onbeheerde storting ter see word verbied deur die Konvensie vir die Voorkoming van Mariene-Besoedeling deur die Storting van Afvalstowwe en Ander stowwe van 1972, algemeen bekend as die Londen Konvensie. Die Departement van Omgewingsake is verantwoordelik vir die implementering en monitering van die konvensie.

- Die lugmag wou nie kommentaar lewer oor die klaarblyklike teenstrydigheid in die stortingsoperasie nie. Geen vrae oor die vorige regering se chemiese en biologiese wapenprogram sal beantwoord word, alvorens die WVK sitting daaroor afgehandel is nie.
- Knobel het aangehaal uit 'n amptelike lugmagdokument, wat nie openbaar gemaak is nie, waarvolgens Basson en andere dit 150 seemyl suid van Agulhas uit die vliegtuig oor die see uitgegooi het.
- Luidens die amptelike verslag kon die spesifieke ruitverwysing van die storting nie aangegee word nie en kon die amptelike passasierslys nie opgespoor word nie, het Knobel getuig.
- Die weermag wou nie vrae oor die vlug, vliegtuig of passasierslys beantwoord nie “omdat die WVK sitting oor die chemiese en biologiese wapenprogram nog nie afgehandel is nie”.

Woensdag 8 Julie 1998

Verslaggewer: Ashley Smith

Bladsy 3

Hoofberig

Opskrif: Basson in sole control of drugs, say boffins

Onderkop: Chemical bosses were 'puppets'

Inhoud:

- Wouter Basson was klaarblyklik betrokke by die vervaardiging van Mandrax en Ecstasy wat moontlik op onwettige wyse op straat verkwansel is.
 - Niel Knobel getuig hy is nie bewus van enige onwettige bedrywighede rakende dwelms wat in die chemiese en biologiese wapenprogram gebruik is nie.
- Res van berig handel oor dr. Phillip Mijburgh se getuienis.

Saterdag 1 Augustus

Saturday Argus

Voorblad

Verslaggewer: Adele Baleta

Opskrif: Dr Death fails to deliver the goods to the TRC

Inleiding: Delays and denials marked Wouter Basson's testimony before the Truth and Reconciliation Commission for his alleged role in the apartheid regime's notorious chemical and biological warfare programme.

Inhoud:

- Basson se getuienis het 'n einde gebring aan die WVK se twee en 'n half jaar lange ondersoek na growwe menseregteskendings in die apartheidsjare.
- Basson, ook genoem “Dr Death”, het ten sterkste ontken dat gifstowwe wat onder sy beheer vervaardig is, gebruik is om mense te skaad of te vermoor. Dit was eerder deel van 'n plan om operateurs op te lei om hulself te beskerm.
- Sjokolade met sianied en ander gifstowwe in, sigarette wat met antraks besmet is en whiskey wat met onkruidododer gedokter is, is op diere getoets om agente teen die gevare daarvan te waarsku.
- As voorbeeld het Basson genoem dat agente gewaarsku is om nie sjokolade wat op bedkussings in hotels gelaat is, te eet nie.
- Hy het ook ontken dat Ecstasy, dagga, Mandrax en kokaïen vervaardig is om die jeug van Suid-Afrika te verslaaf. “Nie een Mandrax tablet is in ons laboratoriums gemaak nie.”
- Op 'n vraag of hy ooit in die versoeking was om dwelmmiddels te verkoop, het Basson gesê versoekings duik voortdurend op. Hy is die afgelope twee dae in die versoeking weens een van sy regsverteenwoordigers se assistente. Toe hy gevra is om die “seksistiese” aanmerking terug te trek, het Basson gesê hy het na haar kookkunsvermoë verwys.
- Basson was traag om te begin getuig nadat die aanvang daarvan die afgelope twee dae gesloer het. Sy getuienis van nege uur is verskeie kere onderbreek nadat hy geweier het om vrae te beantwoord weens die hangende hofsak teen hom.

Saterdag 1 Augustus 1998

Saturday Argus

Bladsy 3

Verslaggewer: John Yeld

Hoofberig

Opskrif: I protected Madiba, says Basson

Onderkop: Apartheid's chemical warfare expert claims young ANC members wanted to kill jailed leader

Inleiding: A plot by radical young African National Congress members in the mid-1980s to kill Nelson Mandela while he was still in jail was foiled by the apartheid government because it was concerned about his welfare, controversial doctor Wouter Basson claimed before the Truth Commission yesterday.

Inhoud:

- Basson het getuig dat hy opdrag gehad het om Mandela teen 'n moontlike aanval te beskerm en hy moes verseker dat tronk- en ander owerhede verantwoordelik vir Mandela ingelig is oor die plan.
- Basson het nie meer 'n afskrif van die plan nie, maar daar behoort dokumentasie hieroor in militêre argiewe te wees.
- Hy het getuig nadat hy en die kommissie in 'n weeklange regstryd was oor of hy vrae sou beantwoord.
- Basson het die verwysing na Mandela gemaak in antwoord op vrae van die WVK se getuienisleier, mnr. Hanif Vally. Die vrae het verwys na 'n dokument van die Staatsveiligheidsraad (SVR) in 1986 waarvolgens 'n hele reeks voorstelle oor die hantering van Mandela se vrylating oorweeg is.
- Een van die voorstelle was dat Mandela in 'n betreklik swak fisieke toestand moes wees sodat hy nie lank as leier sou kon optree nie.
- Een van die wetenskaplikes betrokke by die chemiese en biologiese wapenprogram, Schalk van Rensburg, het vroeër getuig dat hy verneem het Mandela se verstandelike vermoëns sou vir 'n geruime tyd na sy vrylating beperk wees. Hy het afgelei gif soos Thallium sou by sy medikasie in die tronk gevoeg word.
- Basson het getuig hy dra glad nie kennis van die betrokke SVR dokument nie. Hy het in 1986 opdrag van die minister van verdediging, Magnus Malan, gekry om 'n plan op te stel om te verseker Mandela se lewe word beveilig en hy bly in goeie gesondheid.
- Dit was na aanleiding van 'n intelligensieverslag van die weermag waarvolgens jong ANC lede Mandela wou vermoor ter bereiking van hul eie ideale. Hulle het gevoel hy

sou nie radikaal genoeg wees nie. Malan het aan Basson gesê dit is in landsbelang dat Mandela gered moet word.

- Basson het toe 'n klassieke militere beplanningstrategie gebruik - 'n rooi offensiewe span en 'n blou defensiewe span. Die rooi span moes teoreties alle moontlike maniere waarop Mandela in die tronk vermoor kon word, ondersoek. Die blou span moes alle moontlike maniere om Mandela te verdedig en beskerm, ondersoek. Basson het daarna die twee spanne se planne in een plan integreer.
- Dit het gelei tot een omvattende plan om Mandela te beskerm en het alle moontlike bedreigings teen hom ingesluit. Dit is aan die owerheid oorhandig. “Dat Mandela vandag nog leef, kan toegeskryf word aan die feit dat politieke leiers van destyds opdrag gegee het dat hy beskerm word.”
- Op 'n vraag van dr. Fazel Randera, WVK kommissaris, of die vergiftiging van Mandela een van die rooi span se opsies was, het Basson gesê alle opsies is bekyk. Die rooi groep het egter nooit enige kontak met die SVR gehad nie en hy het nooit hul planne aan die SVR oorhandig nie, het Basson getuig.
- Vally wou in opvolg weet of een van die planne was om Mandela aan die tuberkulose-bakterie bloot te stel. Basson het gesê hy kan nie bloot ja of nee antwoord nie. Mandela is vir TB in die tronk behandel.
- Basson het gesê die mees senior politikus met wie hy in verbinding was, was Malan. Op 'n vraag of hy die aangewese persoon sou wees om te nader indien die SVR op die implementering van een van sy planne, om Mandela te vergiftig, sou besluit, het Basson geantwoord sy regsadviseur het hom aangeraai om nie te bespiegel nie.
- Hy is ook gevra hoekom Malan die leier van die chemiese en biologiese wapenprogram sou vra om 'n plan op te stel om Mandela te beskerm. “Ek kan nie namens Malan antwoord nie,” het Basson gesê.
- Basson het gesê hy was betrokke by navorsing in die gebruik van gifstowwe, nadat gif in 'n ANC-wapenopslagplek ontdek is. Daar was gifstowwe in wat sangomas gebruik om mense te vergiftig. Basson het bygevoeg dat hy twee dae in die hospitaal moes deurbring omdat hy daaraan blootgestel is.
- Russiese en Kubaanse wapens was tot die ANC se beskikking en daarom kon die ANC dit teen Mandela gebruik. Hulle kon bv. sy sop vergiftig het, het Basson getuig.

3.2 Gesprekke met joernaliste

3.2.1 JOHN YELD

3.2.1.1 WVK

Yeld, wat vir twee-en-'n-half jaar vir die Cape Argus verslag gedoen het oor die WVK en tans omgewingsverslaggewer is, meen dit was 'n “uiters waardevolle oefening met enorme gevolge”.

Maar, waarsku hy, die amnestieproses is nog nie afgehandel nie. Die afhandeling daarvan en skryf van die heel finale verslag daarna is twee faktore wat nog 'n groot rol kan speel wanneer die WVK beoordeel gaan word.

3.2.1.2 REGERING SE REAKSIE OP WVK

Die reaksie van die regering op die WVK was tot dusver, “om dit sagkens te stel, pateties”, sê Yeld.

Die WVK kan net aanbevelings maak. Die regering moet toesien dat dit uitgevoer word, byvoorbeeld aanbevelings oor reparasie en rehabilitasie en vervolging van mense wat skuldig bevind is aan die pleeg van growwe menseregteskendings. Die regering se reaksie in hierdie verband is “werklik baie teleurstellend”, as in ag geneem word wat hul houding aanvanklik oor die WVK was.

Oor die redes hiervoor meen Yeld die regering was geskok oor die verslag. “Ek vind dit vreemd. Hulle het tog omvattende getuienis voorgelê oor vergrype in ANC kampe in Angola en ander lande. Hulle het dit self erken. Hoe kon hulle van die WVK verwag om dit te regverdig?”

“En toe die finale verslag verskyn het en die ANC was ook onder die wat skuldig bevind is aan growwe menseregteskendings, het daar skynbaar 'n gevoel, as dit nie 'n besluit was nie, in die ANC ontstaan om die WVK te marginaliseer.”

Yeld meen die reparasiebeleid is baie problematies weens die reuse-bedrae geld wat ter sprake kom vanweë die aanbevelings, asook omdat net sekere mense aansoek gedoen het. “Ek stem nie saam met die beleid nie, maar die regering se optrede is power. Hulle het nog nie duidelik 'n standpunt ingeneem of 'n alternatief voorgestel nie.”

Hulle is ook baie laks met die vervolgings en daar is selfs sprake dat hulle nie mense gaan vervolg nie. Die nasionale direkteur van vervolging het reeds gesê dit sal moeilik gaan om almal te vervolg en hy twyfel of dit 'n wyse ding is om te doen.

3.2.1.3 DEKKING VAN WVK SE SITTING OOR CBO IN CAPE ARGUS

Oor die Cape Argus se dekking van die WVK se sitting oor chemiese en biologiese oorlogvoering, voel Yeld, wat die oorgrote meerderheid van berigte geskryf het, baie tevrede.

“Dit was een van die nuuswaardigste sittings van almal en ons het baie plek daaraan afgestaan. Die inligting wat uitgekóm het, het baie mense totaal onkant gevang.

“Sover ek kan onthou, is al my berigte gebruik. Natuurlik is daar aan die teks gesny, maar dit gebeur elke dag. Ons koerant was een van baie min wat 'n verslaggewer voltyds afgestaan het om basies alle sittings te dek.

“Dit is gewoonlik in my hande gelaat om te besluit hoe ek dit wil dek en watter invalshoek ek gaan gebruik.”

Verskeie redaksionele artikels en spotprente is gepubliseer. Daar is ook ruim van foto's gebruik gemaak om die drama vas te vang. Wat die Cape Argus se redaksionele kommentaar betref, het dié koerant meestal die WVK gesteun, sê Yeld.

Oor sy aanslag as verslaggewer sê Yeld hy het verrigtinge altyd uit 'n nuusoogpunt benader en gehou by feitelike verslaggewing, eerder as om sy persoonlike mening by 'n berig in te werk.

Omdat die getuienis gewoonlik “so verstommend was”, was dit nie nodig om enigiets by te werk nie.

Waar hy kopie vir die naweekkoerant Weekend Argus moes lewer, het hy meer op agtergrondartikels gekonsentreer waar vertolking van getuienis nodig was, maar in die dagblad (Cape Argus) was daar nie plek daarvoor nie.

3.2.1.4 WOUTER BASSON

Yeld sê hy ervaar Wouter Basson as 'n “uiters slim man” wat hy nie as 'n held of 'n skurk sal beskryf nie.

“Dit wil voorkom asof Basson by baie ernstige voorvalle betrokke was - growwe menseregteskendings van die ergste graad. Maar ek dink hy was deel van 'n stelsel en is 'n buitengewoon intelligente man wat ook die stelsel tot sy voordeel gebruik het.

“Mense soos genls. Jannie Geldenhuys en Niel Knobel en politici moet medeverantwoordelikheid aanvaar vir dinge waarby Basson betrokke was. Ek dink hulle het Basson se vermoëns net soveel gebruik as wat hy hulle s'n gebruik het.

“Werklik bese dinge is gedoen, maar ek dink nie dit is reg om hom as ‘Dr Death’ te beskryf nie. Ek is nie gemaklik daarmee nie. Dinge strek veel wyer as dit.”

Yeld het baie gou onder die indruk gekom van die kaliber van Basson se regspan. Daar was duidelik 'n strategie om, op watter juridiese manier ookal, die WVK die stryd aan te sê. En hulle het daarin geslaag om die proses uit te rek. In daardie opsig het Basson as wenner uit die stryd getree.

3.2.1.5 ANDER GETUIES

Oor Lothar Neethling sê Yeld hy het hom baie onoortuigend gevind. “Hy was baie aggressief. Ek weet nie was dit deel van sy persoonlikheid of 'n manier om homself te probeer verdedig nie.”

Dieselfde geld vir Knobel. “Sy ontkenning dat hy nie van sekere aspekte van die program geweet het nie, is maar moeilik om te glo. Het hy dalk verkies om sy oë toe te knyp vir sekere aspekte van die program?”

Oor Jan Lourens voel Yeld, na aanleiding van Lourens se getuienis, dat hy besef het waarmee hy besig was, maar nie die moed gehad om homself daaraan te onttrek nie. “Baie van die mense is skynbaar in die versoeking gebring deur die geld en byvoordele. Daar is volop stories dat hulle die wêreld vol gevlieg het in stralers. Baie van wat hulle gedoen het, was onwettig en immoreel.”

3.2.1.6 WVK SE HANTERING VAN SITTING OOR CBO

Yeld voel die WVK het sy huiswerk ter voorbereiding van die chemies-biologiese sitting goed gedoen, danksy Jerome Chaskalson (van die ondersoekteenheid) se rol.

“Daar sou blykbaar nie 'n sitting gewees het nie, maar soos ek verstaan het hy hulle op grond van sy navorsing gaan oortuig.

“Ongelukkig was die sitting ietwat gejaagd. Hulle moes gouer tot 'n punt gekom het met Basson. Toe hy uiteindelik aan die getuig kom, is feitlik niks nuuts bygevoeg nie. Dit was teleurstellend. Die WVK het hier toegelaat dat hy om die bos gelei word. Veral as mens in gedagte hou daar was so baie regsmense op die WVK. Hulle het hom op die ou end ten minste aan die getuig gekry.”

Yeld is van mening dat die voorsitter van die WVK-paneel, Dumisa Ntsebeza, hom baie goed van sy taak gekwyt het. “Veral met al die juridiese twispunte met Basson en sy regspan was hy waarskynlik die beste kommissaris om vir hierdie sitting voorsitter te wees.”

3.2.2 ADRIAN HADLAND

3.2.2.1 WVK

Adrian Hadland, politieke redakteur van die Cape Argus, was parlementêre verslaggewer oor die portefeuljekomitee vir justisie toe die WVK-wet bespreek is.

“Ek het destyds gedink dit was 'n baie ambisieuse poging tot nasionale katarsis en versoening. Ek dink die wet is omtrent 300 keer aangepas.”

Hadland het verslag gedoen oor die eerste WVK-sitting as verslaggewer in Oos-Londen. Hy sê dit was nooit die WVK se mandaat om agter die volle waarheid te kom nie. Die WVK moes 'n prentjie skets van die soort en omvang van wandade. Hul doel was nooit om die volle waarheid uit te snuffel nie.

“My belewenis was dat slagoffers groot waarde uit die sittings geput het. Die onderdrukkers of skuldiges was eintlik as 'n nagedagte by die sittings. Daar is dikwels vasgestel wat met mense gebeur het, waar lyke was en wat die dood veroorsaak het.

“Die blote feit dat Tutu en ander paneellede daar was, hoe hulle die slagoffers behandel het en die feit dat slagoffers landwyd kon praat oor wat hulle oorgekom het, was geweldig waardevol.

“Dit het slagoffers in staat gestel om amptelik erkenning te kry en hul stories te vertel soos hulle dit beleef het. So baie mense het in die jare tagtig gely. Baie is beskuldig dat hulle spioene vir die regering was. In daardie opsig was die WVK 'n uiters waardevolle voertuig vir mense om hul stories te vertel.”

Wat die hele konsep rondom die WVK betref, is Hadland tevrede. “Hoe dit ookal aangepak is, dit sou in elk geval 'n baie moeilike taak gewees het. Ek kan nie dink aan 'n manier hoe dit beter gedoen kon word nie.”

Hadland het egter groot bedenkinge of daar voldoende opvolgwerk gedoen is. Daar is nog groot gebreke in die WVK se taak van reparasie en rehabilitasie. Baie slagoffers het nog geen geldelike steun ontvang nie.

Oor die samestelling van die WVK voel hy tevrede. “Daar was beskuldigings vanaf die Nasionale Party en die Afrikaner dat die WVK bevooroordeeld was. As 'n mens

nou terugkyk lyk dit of bv. die amnestieproses baie billik is. Daar is nie 'n aanduiding dat sekere mense sagter hanteer is as ander nie.”

Neurenberg-verhore sou emosies laat oorkook en nasionale versoening beduiwel het, sê Hadland.

Die ANC het in die jare sewentig 'n komitee gestig wat dossiere begin opstel het oor die leiers van apartheid. Die huidige Speaker van die Parlement, Frene Ginwala, het onder meer in die komitee gedien.

Nie lank daarna nie het die WVK-prosesse in Suid-Amerika aan die gang begin kom. Dit het mense weer laat dink oor hoe onderdrukkers behandel moet word en die algemene konsensus nou is dat 'n Neurenberg-situasie emosies sal opjaag en nasionale versoening in die wiele ry.

Hy weet die nasionale direkteur van vervolging, Bulelani Ngcuka, “lê nagte wakker” oor hoe hy die WVK se aanbevelings en bevindings in sy finale verslag moet hanteer. Talle mense is in die WVK se finale verslag skuldig bevind aan growwe menseregteskendings.

So 'n hele WVK-proses moet eintlik binne drie tot vyf jaar afgehandel word, sê Hadland.

Hy het die grootste respek en agting vir die WVK-voorsitter, aartsbiskop Desmond Tutu. “Wat hy oor die regering gesê het, wys dat hy nooit 'n bevooroordeelde persoon was nie. Hy was nog altyd 'n stem vir die slagoffers, die wat nie 'n stem het nie en 'n groot versoener. Niemand kon dit beter as Tutu gedoen het nie.”

3.2.2.2 WOUTER BASSON

Hadland sê Wouter Basson is vir hom die perfekte voorbeeld van die konteks waaruit hy kom. “Dit lyk asof hy sy opdrag ietwat te ver gevoer het. Kyk ook na Eugene de Kock. Die wet is deur so baie mense so misbruik dat ons steeds worstel om respek vir die wet te herwin by ons mense.

“Ek is seker Basson het gedink hy tree in belang van die land op. Dit het ongelukkig verder as dit gegaan en selfs tot korrupsie gelei. Dit is maar hoe dit met baie mense oor baie jare in daardie stelsel gegaan het.

“Ek het Basson nog nie ontmoet nie, maar ek vermoed hy is 'n produk van 'n korrupte omgewing waarin hy gebore is. Ek het begrip vir waar hy vandaan kom, hoewel ek dit nie goedkeur nie.

“As jy die propaganda van destyds onthou - godsdienstig, kultureel, ras – is die wit gemeenskap blootgestel aan 'n stortvloed propaganda en ek dink die opvoedkundig-maatskaplike stelsel was so geskoei om sekere beginsels te versterk. Onder sulke omstandighede sal jy vrye denkers kry wat die leuen daarin raaksien, maar die oorgrote meerderheid sal daarby inval, want dit is gerieflik en dit vereis persoonlike durf wat gewoonlik met groot opofferings gepaard gaan, om dit uit te wys. Beyers Naudé is 'n goeie voorbeeld van iemand wat teen daardie leuen opgestaan het.”

3.2.2.3 WVK-DEKKING IN DIE CAPE ARGUS

Uit 'n joernalistieke oogpunt het die WVK en al die bloederige besonderhede wat daaruit voortgekom het, vir 'n tyd lank 'n doel gediens, maar lesers het 'n punt bereik waar hulle genoeg daarvan gehad het, sê Hadland.

Hy sê as die Wouter Basson-hofsak twee jaar gelede plaasgevind het, sou daar baie meer belangstelling gewees het en dit baie meer prominent aangebied gewees het. Maar mense is nou moeg daarvoor en allerlei doemprofetiese berigte.

“In 'n omgewing waar televisie en internet ook bedrywig is, is ons koerant traag om oordrewe dekking daaraan te gee. Alle koerante sukkel die afgelope vyf jaar. Ons skryf dit deels toe aan die gatvol-faktor (sic). Mense wil nie gebombardeer word met 'n stortvloed detail oor misdaad nie.

“Hulle wil nie gedurig slegte nuus lees nie, dus probeer ons dit nou skryf op 'n manier wat dit relevant maak. As 'n manier om probleme op te los. Mense wil nie gekonfronteer word met 'n onoplosbare situasie nie.

“Ons dekking handel dus steeds oor die probleme, maar ons probeer aan lesers opsies bied oor hoe om dit te hanteer. Dit vereis 'n paradigma skuif.

“Ons hanteer steeds die harde nuus, maar op 'n konstruktiewe manier. Ons sal byvoorbeeld verskeie stories oor dieselfde onderwerp skryf. Miskien een oor hoe dit mense raak en nog een met illustrasies en grafika by, maklik leesbaar en met verskillende invalshoeke op 'n probleem.”

3.2.3 STEVEN WROTTESELEY

3.2.3.1 WVK

Volgens mnr. Steven Wrottesley, assistent-redakteur van die Cape Argus, was een van die groot probleme met die WVK dat dit te lank aangehou het.

“Die verskriklikste goed het uitgekom. Baie mense het later net afgeskakel en emosioneel afgestomp geraak.

“Ek dink nie daar het baie versoening voortgevloei uit die WVK-proses nie. Ons moes iets doen om die afloop van apartheid te hanteer, maar baie dinge het nooit uitgekom nie. Ek onthou in 1985 was die swart townships 'n kookpot. Die meeste Kapenaars was salig onbewus daarvan. Eers toe padversperrings op die snelweë langs die swart buurte opgerig is, het mense begin besef dat iets aan die broei is.”

Neurenberg-verhore sou nooit gedeug het nie. Almal sou soveel as moontlik inligting geheim gehou het omdat dit in hul belang sou wees om stil te bly. “Ons sou nie naastenby soveel inligting na vore sien kom het nie.”

3.2.3.2 BERIGGEWING OOR DIE WVK

Wrottesley voel die WVK as nuusmaker het mettertyd nie juis koerante verkoop nie. “Inteendeel, mense was siek en sat van al die aaklighede wat aan die lig gekom het. Mense wou nie so baie slegte nuus hê nie.

“Wat ons toe probeer doen het, was om die WVK-verrigtinge steeds te dek, maar dit nie in mense se keelgate af te druk deur dit prominent op die voorblad aan te bied en te sê nie: Hierso, lees dit. Dit is agtertoe in die koerant geskuif.

“In enige besigheid moet jy die voor- en nadele van so 'n situasie opweeg. Dikwels moet jy dan jou prioriteite balanseer.”

Wrottesley meen die Argus was gelukkig om iemand soos die verslaggewer John Yeld te hê. “Hy het van begin tot einde vasgebyt. Talle ander publikasies was nie so gelukkig nie. Ek is seker dit was vir hom dikwels uiters traumaties om deur baie emosioneel-dreinerende verrigtinge te sit. Ek dink ons het beter as die meeste ander publikasies gedoen.”

Daar was nie 'n ooreengekome redaksionele beleid sover dit hoofartikels, spotprente en meningsartikels aangaan nie. “Elke ontwikkeling is soos dit gebeur het, beoordeel.”

Wrottesley voel die Cape Argus het die WVK se sitting oor CBO “redelik goed” gedek. “Maar dit was in groot geheimsinnigheid gehul. Baie dinge het nie uitgekome nie.

“Dit het 'n mens laat dink aan die Amerikaanse senaatsverhore verskeie jare gelede toe van die belaglikste idees uitgekome het, soos planne oor hoe om van Fidel Castro ontslae te raak.

“In enige operasie of sakeonderneming moet 'n mens sake verbeeldingryk benader, maar in sekere van hierdie gevalle lyk dit of van die mense van die grootste verbeeldingsvlugte in die praktyk gaan probeer ontwikkel het.

“Hoe enigeen byvoorbeeld ernstig kan dink Ecstasy kan in rookgranaatvorm werk, gaan my verstand te bowe. In die jare tagtig het die polisie gaskannetjies gehad en

traanpoeier. Hulle het 'n paar keer traanpoeier tussen die media gegooi en weggejaag. Een keer het hulle die goed na 'n mediavoertuig agter hulle gegooi, maar die wind het dit teruggetol en by hul Land Rover ingewaai.”

3.2.3.3 WOUTER BASSON

Oor Wouter Basson voel Wrottesley 'n mens moet eers wag en kyk watter getuienis in sy hofsak, wat tans aan die gang is, na vore kom.

“Ek weet nie of jy kan sê hy was beter of slegter as van die ander nie. Daar is graadverskille, maar het hy nie maar net meer opdragte van die apartheidsregerings uitgevoer omdat hy toegang tot meer middele gehad het nie?

“Waar gewone polisiebeamptes oproeriges met rubber- en plastiekkoeëls geskiet het, het ander toegang tot masjiengewere, vliegtuie en mediese middele gehad (met verwysing na die bewering dat Swapo-lede verdoof en uit 'n vliegtuig oor die Atlantiese Oseaan gegooi is).

“Wouter lyk baie slegter in die media as iemand wat een of twee mense vermoor het, maar is dit nie bloot omdat hy toegang tot effektiewer moordwapens gehad het nie? Aan die ander kant, hy kon nee gesê het. Dit bring jou by die hele kwessie van die indoktrinering van die jeug.

“Ek het baie polisiebeamptes oor die jare as misdaadverslaggewer leer ken. Ek dink nie hulle was slegte mense nie. Hulle is maar net van skooldae af geïndoktrineer. Daarna gaan hulle opleidingskollege toe.

“As hulle eers in 'n eenheid is, is dit 'n kwessie van inpas of padgee. Hulle moes by daardie kultuur inval. Boonop moet jy opdragte uitvoer in so 'n paramilitêre omgewing. So 'n organisasie kan nie funksioneer as mense opdragte gedurig bevraagteken nie.”

3.2.3.4 LOTHAR NEETHLING

Wrottesley sê hy het genl. Lothar Neethling jare gelede as verslaggewer leer ken. “Wat my destyds verstom het, is dat hy 'n geweldige hoeveelheid tyd bestee het om vas te stel of dobbelmasjiene in kafees wettig is. Hy het dae en weke en maande daaraan afgestaan om te probeer bepaal of speletjies/uitbetalings gemanipuleer word. Dit was vir my uiters vreemd dat iemand soos hy so baie tyd daaraan afstaan om kafee-eienaars vervolg te kry, terwyl baie belangriker dinge gedoen moes word.”

3.2.3.5 DESMOND TUTU

Sonder aartsbiskop Desmond Tutu sou die WVK “nie gewerk het nie”.

“Met sy passie en humorsin het hy die WVK op 'n uiters moeilike pad gelei sonder dat te veel mense skade gely het. 'n Instansie soos die Nasionale Party het wel aanstoot geneem oor van die bevindings, maar sonder Tutu sou die WVK nie naastenby soveel kon uitrig soos dit wel het nie.”

Die ondervoorsitter, dr. Alex Boraine, was 'n “soliede” persoon. “Hy en Tutu was 'n goeie kombinasie. Tutu was meer emosioneel.”

Wrottesley meen hoewel sekere aanstelings in die WVK vreemd voorgekom het, was die samestelling van die kommissarisse in die kol.

Dumisa Ntsebeza het 'n paar foute gemaak met die herrie toe beweer is hy het die wegjaagmotor met die Apla-aanval op die Heidelberg taverne bestuur. Hy moes toe heeltemal teruggestaan en hom daaruit gehou het dat ander dit kon hanteer.

4. Cape Times

4.1 Ontleding van berigging tydens WVK se CBO

Dekking verleen tydens die WVK se sitting oor CBO aan getuienis van drs. Jan Lourens, Niel Knobel, Lothar Neethling en Wouter Basson.

9 Junie 1998

Voorblad

Verslaggewer: Robert Brand

Opskrif: SA 'sold chemical warfare secrets'

Inleiding: South Africa may have sold its chemical and biological warfare secrets to Syria in a deal brokered by former president PW Botha's private secretary Ters Ehlers, it emerged before the TRC yesterday - the first day of its hearing into SA's programme on such weapons.

Inhoud:

- Ehlers, tot in 1989 Botha se private sekretaris, het 'n Siriese wapenhandelaar aan twee Suid-Afrikaanse militêre wetenskaplikes voorgestel. Een van die wetenskaplikes, dr. Andre Immelman, het Sirië daarna besoek. Immelman was 'n direkteur van Roodeplaat Navorsingslaboratoriums, waar biologiese oorlogvoering nagevors is.
- Roodeplaat en Delta G Scientific, waar chemiese oorlogvoering nagevors is, was deel van Projek Coast, 'n projek om verdedigingsvermoë in chemiese en biologiese oorlogvoering te ontwikkel.
- Die hoof van Coast was dr. Wouter Basson, Botha se persoonlike lyfarts. Basson is verlede jaar in hegtenis geneem op klagte van die besit van Ecstasy. Verdere klagte soos moord, aanstigting tot moord en bedrog word nou teen hom ondersoek.
- Dr. Jan Lourens, 'n bio-ingenieur by Delta G, het getuig hy het later hoof geword het van nog 'n militêre frontmaatskappy wat James Bond-tipe toestelle vervaardig het om moorde mee te pleeg, soos om dodelike gifstowwe toe te dien.
- Die giftoestelle is op bestelling van Immelman en dr. James Davies uitgevoer.

- Lourens, wat om amnestie aansoek gedoen het, het gesê aansprake dat Projek Coast defensief van aard was, is “absolute twak”. Die projek het ingesluit die ontwikkeling van 'n offensiewe chemiese vermoë en navorsing in nuwe soorte traangas.
- Navorsing is gedoen in die ontwikkeling van stowwe gemik op die verlaging van swart mense se viriliteit en vrugbaarheid ten einde die swart bevolking se geboortesifer te verlaag.
- Onder die wapens wat deur Lourens se maatskappy, Protechnik, gemaak is, was sambrele, ringe en skroewedraaiers met verskuilde gifhouers en 'n kiere wat 'n gifballetjie kon uitskiet. Lourens het gesê hoewel hy nie bewus is van geleenthede waar hierdie wapens gebruik is om sluipmoorde te pleeg nie, is daar by hom geen twyfel dat die doel daarvan was om vyande van die staat te vermoor nie.
- Een van die wapens, 'n skroewedraaier, is aan 'n agent in Engeland besorg.
- Protechnik het gespesialiseer in die ontwikkeling van beskermende klere, maar het oor die vermoë beskik om gesofistikeerde stowwe vir chemiese oorlogvoering te ontwikkel. Dit is ook gedoen - vir die uitvoer van toetse.
- Hy het in 1993 sekere aspekte van die chemiese oorlogvoeringsprogram aan die minister van verdediging, mnr. Roelf Meyer, via 'n prokureursvriend gerapporteer. Meyer het laat weet hy moet sy bekommernisse met die geneesheer-generaal, Niel Knobel, bespreek.
- Knobel het aan hom gesê hy weet niks van die offensiewe kant van die projek nie en het Lourens na die hoof van die weermag, genl. Kat Liebenberg, verwys. Liebenberg het vir Lourens gesê hy moet vergeet van die hele storie, maar moet onthou: “Dit is my speelgoed daardie. Ek wil dit terugê.”
- Lourens het van die “speelgoed” op 'n plaas in Noord-Transvaal gaan begrawe. Ná Basson se inhegtenisname het hy teen sy vorige kollega gedraai en sy verhaal vertel aan die Transvaalse prokureur-generaal, Jan D'Oliviera, wat 'n spesiale eenheid het wat die chemiese en biologiese oorlogvoeringprogram ondersoek.

Vrydag 12 Junie 1998

Bladsy 6

Verslaggewer: Roger Friedman

Opskrif: Secret SADF paper reveals warfare plan

Inleiding: Can there be any further debate over whether the apartheid government's chemical and biological warfare programme was of a defensive or offensive nature?

Inhoud:

- Buiten dat top-wetenskaplikes in diens van die projek die afgelope week so getuig het, het die WVK 'n uiters geheime dokument vrygestel wat deur die destydse hoof van militêre inligting, Joffel van der Westhuizen, oor Projek Jota opgestel is.
- Die eerste paragraaf lui: "Projek Jota is 'n projek onder beheer van die geneesheer-generaal met brig. Wouter Basson as projekoffisier. Die doel van die program is om die SAW te voorsien van 'n offensiewe en defensiewe vermoë vir chemiese en biologiese oorlogvoering."
- Niel Knobel, wat in 1992 geneesheer-generaal was, het verlede jaar op 'n WVK sitting oor die weermag gesê dit was 'n defensiewe program.
- Die Projek Jota-dokument bevat name van frontmaatskappye en hul direkteure. Die dokument is voorgelê terwyl die polisie se vorige forensiese hoof, Lothar Neethling, getuig het.
- Paragraaf 22 lui: "Dr. Basson berig dat genl.-maj. Lothar Neethling volledig ingelig is oor Projek Jota. Dr. Basson en genl. Neethling gebruik mekaar as klankborde in die ontwikkeling en gebruik van sekere kommoditeite. Dr. Basson rapporteer verder dat weens die BSB hofsak waarby genl. Neethling betrek word, kan hy verbitterd raak en gevolglik as 'n gewonde leeu beskou word."
- Neethling, wat ruim tyd gebruik het om die WVK te probeer oortuig dat hy feitlik niks van die offensiewe chemiese en biologiese oorlogvoeringsprogram geweet het, het die verslag met minagting verwerp.

Vrydag 12 Junie 1998

Bladsy 17

Verslaggewer: Roger Friedman

Opskrif: Neethling tells of drugs for army

Kassie: If dagga could have been used instead of guns, I'd have said Hallelujah

Inleiding: Former police forensics chief Lothar Neethling admitted supplying bulk quantities of dagga, Mandrax and LSD to the military - for experimental purposes only.

Inhoud:

- Neethling, 'n oorlogsweeskind wat in 1948 na Suid-Afrika geïmmigreer het, het aan die WVK gesê onverantwoordelike joernalistiek het sy lewe verwoes.
- Die man wat Vrye Weekblad suksesvol vir laster gedagvaar het weens 'n berig dat Neethling die apartheidsluipmoordenaar Dirk Coetzee van gif voorsien het om teen aktiviste te gebruik, het homself voor die WVK as 'n humanis voorgedoen wat gekant is teen geweld en verbind tot die ontwikkeling van alternatiewe metodes as vuurwapens vir skarebeheer. “As dagga gebruik kon word in plaas van wapens, sou ek Halleluja geskreeu het.”
- Neethling het verduidelik waarom hy tussen 100 000 en 200 000 Mandrax tablette, sowat 5000 eenhede LSD en nagenoeg 250 kg dagga aan Wouter Basson voorsien het om alternatiewe metodes van onlustebeheer na te vors.
- Basson staan tereg op 'n reeks klagte, waaronder vervaardiging en besit van Mandrax en Ecstasy tot aanstigting tot moord en bedrog.
- Neethling, wat naby 'n rave klub in Pretoria woon en die uitwerking van dwelms op die klub se klante gemonitor het, sê hy glo Ecstasy is 'n fantastiese middel om 'n mens se gemoedstemming te verander. “Dit sou fantasties wees as ek dit in 'n granaat kon kry. Die Polisie sal sonder werk sit.”
- Oor die dagga het Neethling gesê die idee was om dagga-olie in 'n granaat te gebruik en dit met traangas te meng. “As jy dagga in 'n persoon kan kry, neem jy sy veglus vinnig weg.”
- Volgens Neethling het hy by drie geleenthede Mandrax aan Basson voorsien. Eksperimentele granate is gemaak, maar die navorsers het gesukkel om die rook in die lug te kry, omdat die aktiewe bestanddeel verbrokkel het sodra dit begin brand het.
- Die probleem met LSD weer, was dat dit 'n baie kort raklewe het en sy aktiewe bestanddeel verbrokkel het sodra dit aan lug of vog blootgestel is.
- Neethling het getuig dat indien granate met Mandrax of LSD suksesvol vervaardig is, sou die dwelmmiddels te min wees om enigeen daaraan verslaaf te maak.

- Kommissaris Denzil Potgieter het gewonder of die gebruik van so 'n middel nie mense sou aanmoedig om oproerig te raak nie.
- Al die dwelms wat aan Basson verskaf is, is deur die polisie gekonfiskeer in die normale uitvoering van hul pligte en in die forensiese laboratorium gebêre. Basson kon nie aangekla word vir die besit van of handel daarin nie, omdat hy 'n “mediese persoon was wat middels vervoer het”.
- Neethling het gesê 'n gewese minister van polisie, Louis la Grange, het aan hom opdrag gegee - in die teenwoordigheid van polisiekommissaris Johann Coetsee en die geneesheer-generaal Nicol Niewoudt - om die dwelms aan Basson te gee. La Grange en die generaals het glad nie belang gestel in die “tonne” ander gekonfiskeerde middels in die laboratorium nie, soos slaappille en antidepressante.
- Neethling het ten sterkste ontken dat hy thallium aan Dirk Coetzee verskaf het, wat Coetzee beweer aan die Oos-Kaapse studente-aktivis Siphiwo Mtimkulu gevoer is. Mtimkulu kon nie meer loop nadat hy vergiftig is nie en is later ontvoer en deur die veiligheidspolisie vermoor.
- Neethling het ook ontken, soos vroeër getuig is, dat hy gereeld by die Roodeplaat Navorsingslaboratoriums met sy “kenmerkende bultende aktetas” gesien is. Hy het ontken dat hy so 'n aktetas het en bygevoeg dat die berigte daaroor sy vrou soos 'n baba laat huil het.

Vrydag 19 Junie 1998

Voorblad

Verslaggewers: Roger Friedman en Benny Gool

Opskrif: Basson: TRC hears of drugs, bribes

Inleiding: Wouter Basson, the man who steered SA's chemical and biological warfare programme, was ideally situated to become a major drug-trafficker, it emerged in evidence to the Truth and Reconciliation Commission yesterday.

Inhoud:

- Die WVK het die vorige week getuienis aangehoor dat dokters onder Basson 'n vermoë ontwikkel het om groot hoeveelhede Mandrax en Ecstasy op te kook en hoe die polisie hom van voorraad voorsien het.

- Gedurende kruisondervraging van Niel Knobel het dit aan die lig gekom dat Basson toevertrou is met die taak om groot hoeveelhede dwelmmiddels te vernietig, dat hy lugmag- en ander vliegtuie tot sy beskikking gehad het en dat hy belastingbetalersgeld gebruik het om buitelandse amptenare om te koop.
- Mandrax is sedert die jare sewentig 'n belangrike dwelmmiddel in Kaapstad waarmee mense miljoene rande gemaak het en geslagte jeugdiges is daaraan verslaaf.
- Suid-Afrika het sowat 5 jaar gelede nog 90% van die wereld se Mandrax verbruik. Ecstasy was feitlik onbekend in Suid-Afrika toe dit die eerste keer in die vroeë jare negentig deur chemiese en biologiese chemici vervaardig is. Daar was 'n vinnig-groeiende en aanloklike mark daarvoor in Amerika en Europa.
- Basson moet nog hieroor getuig, maar sy regsman vra die Hooggeregshof om sy getuienis te keer, weens sy hangende hofsak. Voorlopige klagte teen Basson, wat deur die kantoor van die prokureur-generaal in Pretoria ondersoek word, hou verband met besit van dwelmmiddels, die vervaardiging van 'n ton Ecstasy en 'n ton Mandrax. Daarby ondersoek die Kantoor vir Ernstige Ekonomiese Misdrywe bedrogklagte van R50 miljoen, wat nog by die klagstaat gevoeg kan word.
- Knobel het na Basson se inhegtenisname in Februarie 1997 op 'n perskonferensie by die Parlement gesê hy het as vaderfiguur opgetree vir die “briljante dokter en kardioloog”. Hy het gesê Basson het 'n dekorasie ontvang vir die opbou van 'n defensiewe chemiese en biologiese oorlogvoeringsvermoë waarop die land trots kan wees.
- Weens internasionale sanksies moes Basson dit doen deur te bedel, te leen en te steel en internasionale wette en sanksies oortree.
- Volgens Knobel is tegnologie in die program ontwikkel om te beskerm en te ontsmet in gevalle van menslike of natuurrampe, asook items soos filters, gasmaskers en beskermende klere.
- Daar was gister geen vermelding van maskers en filters nie toe die WVK se regsbeampte, Hanif Vally, Knobel ondervra het oor 'n brief van Mei 1994 van Basson aan hom (Knobel), drie dae voor Nelson Mandela se inswering as president.
- Die brief was in wese 'n verduideliking van Basson oor hoe hy \$75 000 bestee het. Volgens Knobel het hy Basson einde 1993 gekonfronteer en wou by hom weet of hy betrokke is by kriminele bedrywighede nadat hy by 'n wetenskaplike in 'n frontmaatskappy gehoor het Basson het opdrag gegee vir die vervaardiging van giftostelle, soos kieries en seephouer-lokvalle.

- Enkele maande later het Knobel uitgawes van Basson goedgekeur vir die omkoop van lughawe-, doeane- en grensbeamptes in die buiteland.
- Volgens Basson se brief aan Knobel het hy \$12 000 in Desember 1991 bestee om die veiligheidshoof van die Ndjamena-lughawe in Tsjad om te koop, \$5000 aan doeane-amptenare in Douala in Kameroen, \$10 000 aan Kroatiese grenswagte in Desember 1993 ten einde toegang tot regeringsamptenare te verkry, nog \$10 000 aan lede van die Kroatiese weermag om afsprake te kry met amptenare en bankiers, en \$36 000 aan 'n dr. D. Chu vir uitgawes wat verband hou met Basson se inhegtenisname in Switserland in Desember 1993. Laasgenoemde bedrag sluit in \$28 000 om te verseker dat twee rekenaarhardeskywe met inligting oor Basson se vorige aankope en navorsingsaktiwiteite in Switserland vernietig word.
- Knobel sê dit was sy indruk dat Basson se reise gegaan het oor die aankoop van middele. Dit was normale praktyk om huurvlugte te gebruik, want dit was nie beleid om gevaarlike stowwe op geskeduleerde vlugte te gebruik nie.
- Omdat die Suid-Afrikaanse regering nie wil hê inligting wat nie-proliferasie kan beïnvloed openbaar gemaak word nie, is die meeste dokumente wat Knobel ingehandig het, nie aan die media openbaar gemaak nie.
- Dit het wel aan die lig gekom dat Basson 500 kg metakaloon, die aktiewe bestanddeel in Mandrax, in Kroasië aangekoop het. Dit is onduidelik waarom Basson samesprekings met regeringsamptenare oor die Mandrax moes voer, of waarom dit in Kroasië aangekoop moes word, as Suid-Afrika die vermoë gehad het om dit self te produseer. Maar daar was 'n oorlog in die destydse Joego-Slawië toe Basson daar was - het hy chemiese en biologiese wapens daar verkoop?
- Dit was blykbaar Basson se reise in Kroasië wat daartoe gelei het dat Amerika en Brittanje 'n gesamentlike demarche (die sterkste uitdrukking van diplomatieke afkeur) aan FW de Klerk en sy opvolger, Nelson Mandela, uitgereik het.
- Knobel het vroeër getuig oor 'n reuse-besending Ecstasy, Mandrax en 'n kokaïen-gebaseerde stof wat in 1993 glo in die see aan die Suid-Kaapse kus gestort is.
- In Januarie 1993 is die destydse minister van verdediging, Gene Louw, ingelig oor Projek Coast (die kodenaaam vir die chemiese en biologiese wapenprogram). Hy het opdrag gegee dat werk aan inkapasiteermiddels (dagga, Mandrax, Ecstasy) gestaak en orige grondstowwe vernietig word. Daar is verlede week getuig hoe wetenskaplikes planne gehad het om 'n granaat met Mandrax en/of dagga te ontwikkel vir onlustebeheer.

- Einde Januarie 1993 is 'n “opleidingsvlug” met 'n lugmagvliegtuig gereël om 20 dromme met dwelmmiddels in die see suid van die Agulhas bank te gaan stort. Volgens Knobel was Basson en vier of vyf passasiers aan boord wie se name onbekend was aan die bemanning.

4.2 Gesprekke met joernaliste

4.2.1 ROGER FRIEDMAN

4.2.1.1 WVK

Die WVK-proses was vol foute en hy sou eerder Neurenburg-tipe verhore verkies het, sê Roger Friedman, tans nuusredakteur van die Cape Times en gewese WVK-verslaggewer wat ook die sitting oor CBO gedek het.

Een van die groot probleme is dat die WVK die resultaat was van 'n onderhandelde politieke skikking. Dit was 'n proses vol foute wat baie versigtig bestuur is en wat alles vir almal probeer wees het. “Dit was gewoon net onmoontlik ná honderde jare van onderdrukking.”

“Ek het saam met die WVK en talle ander joernaliste gely. In die begin het ek my oë uitgehuil.”

Friedman sê daar moes eerder Neurenberg-tipe verhore of algemene amnestie gewees het. Persoonlik sou hy verhore verkies het soos in Neurenberg ná die Tweede Wêreldoorlog. “Die WVK het albei probeer wees.”

Hy sê die groot krag van die WVK lê opgesluit in die ryk simboliek daarvan – “watter aankondiging waar gemaak is en wie teenwoordig was”.

“Hulle het iets goeds probeer doen om ons verlede agter die rug te kry, want ons moes iets doen. Die geskiedenis gaan die WVK as 'n relatiewe mislukking beoordeel waar dit gaan oor die na vore bring van groot hoeveelhede gekontroleerde waarhede, asook

in die beduidende bevordering van versoening. Dit is terselfdertyd naïef om te dink dat so 'n struktuur alles binne die bestek van twee jaar sal bereik.”

Friedman wys daarop dat die WVK-proses baie komplementêrend tot die Mandela-era was en wat oudpres. Nelson Mandela probeer bereik het, naamlik versoening. Hy beskou die WVK se taak tot reparasie en rehabilitasie, soos deur die wet voorgeskryf, as 'n “klaaglike mislukking”.

“Dit is uiters belangrik, maar op een of ander manier gebeur dit eenvoudig nie. Dit is 'n skande.”

4.2.1.2 WVK-SITTING OOR CBO

Die sitting oor chemiese en biologiese oorlogvoering was een geleentheid waar die WVK 'n “nuttige verskoning” gehad het om nie al die feite op die tafel te sit nie, ter beskerming van internasionale verdrae oor proliferasie. Die regering se regsverteenwoordigers het ook hierdie aspek kom beklemtoon op die sitting.

Mens kan dit ook verstaan, sê Friedman, want die land moet hou by internasionale verdrae wat hy onderteken het.

Hy beskryf die chemies-biologiese sitting nietemin as “fassinerend” – “nie wat nader besonderhede betref nie, maar om 'n breë idee te kry van wat aangegaan het”.

“Ons weet bv. nog nie of die skielike hoë voorkoms van Mandrax op die strate van Kaapstad 'n projek van die staat was nie. In watter stadium het die regering se laboratoriums Mandrax begin vervaardig? Dieselfde met Ecstasy. Daar is 'n string redes waarom verskeie WVK-verhore nie antwoorde verskaf het op vrae waarop 'n mens gehoop het nie.”

Friedman sê daar is by hom geen twyfel dat Basson die sentrale figuur in die chemiese en biologiese wapenprogram was nie. “Die WVK het dit eintlik bevestig. Verskeie wetenskaplikes wat tydens die sitting getuig het, moes aan hom rapporteer. Baie

mense is weens hul naiwiteit deur hom gebruik, maar hulle was almal klein spekie in die wiel. Wouter was die groot speek.”

Friedman is nie tevrede met die verloop van die WVK-sitting nie, omdat nie “genoeg aanspreeklikheid” bewys is nie.

Hy het op 'n manier jammer gevoel vir die betrokkenes. Die hele “wals” met oudpres. P.W. Botha bevestig dit.

“Ons weet bv. nie in watter mate die Kabinet besluite geneem het nie - of wie dit geneem het nie. Die sitting oor CBO is een van die weinig sittings waar operateurs en wetenskaplikes uitgewys is. Ek is seker Basson het opdragte van bo gekry, maar hy was 'n sleutelfiguur.

“Wat nou in die hofsak na vore kom, is beslis nie teenstrydig met wat voor die WVK uitgekom het nie.”

Friedman sê baie van die dwelmp probleme wat tans in Kaapstad ondervind word, spruit uit georganiseerde misdaad. “Die vraag is nou in watter mate is betrokkenes by die chemiese en biologiese wapenprogram aanspreeklik vir wat vandag in Kaapstad aangaan.

“Kaapstad is nou vir minstens drie jaar in 'n dwelmoorlog gewikkel. Maar waar het dit begin? Wat van die bewerings dat die staat destyds dwelms in die gemeenskap versprei het? Die staat het nie net dwelms voorsien nie. Die bendes is ook gebruik om hul vuilwerk te doen, soos om moorde te pleeg. Dink maar aan die poging om Dullah Omar te vermoor. En Peaches Gordon en Jacky Lonty.

“As my kind in die jare sewentig of tagtig in Kaapstad grootgeword en 'n ernstige Mandrax-afhanklikheid ontwikkel het, sou ek gevoel het ek het 'n sterk saak teen die staat.

“Eerlikwaar, as Basson skuldig bevind word en dit kom uit dat hy die storting van Mandrax in Kaapstad se strate onder bendes geïnisieer het . . . Ons tronke is vol van

mense wat misdade gepleeg het terwyl hulle onder die invloed van dwelms was, bv. iemand gesteeke of beroof het. Die vraag bly staan - is die staat deel van die oorsaak daarvan?"

Friedman sê die grootste swakheid in die WVK-proses is dat mense wat nie om amnestie aansoek gedoen het nie, eenvoudig daarmee gaan wegkom. "Die hele WVK-proses is verlam deur die feit dat Basson opdragte van Botha gekry het. En Botha het nie amnestie gekry (of gevra) nie," het Friedman aangevoer.

"Die WVK-proses was simbolies. En dis waar dit begin en eindig."

4.2.1.3 ROL VAN MEDIA IN WVK

Verslaggewers wat die WVK gedek het, moes as 't ware iets van hulself prysgee. "Dit was as 't ware ons proses vir ons land. Dit is wat aan ons gegee is om die toekoms in te beweeg. Dit was 'n byna patriotiese ding.

"Aan die begin (van die WVK-proses) het ek lank daaroor nagedink. Ek het deur 'n hele proses gegaan. In my skryfwerk het ek hard geprobeer om sekere grense oor te steek wat ek nie voorheen gedoen het nie.

"Dit was dieselfde met die sitting oor CBO. Mense van Die Burger en Beeld was om politieke redes meestal anti-WVK, terwyl die meeste televisie- en radioverslaggewers die WVK-proses ondersteun het," het Friedman aangevoer.

4.2.1.4 NEURENBERG-VERHORE

Friedman sou in plaas van 'n WVK eerder Neurenberg-verhore in Suid-Afrika wou hê met die volgende mense in die beskuldigdebank: P.W. Botha, F.W. de Klerk, alle gewese ministers van polisie (of hoe hulle ookal bekend gestaan het) vanaf die B.J. Vorster-bewind, die wat onder hierdie ministers gedien het, provinsiale hoofde, sekere operateurs, bv. mense soos Gideon Nieuwoudt (die oud-veiligheidspolisieman wat onder meer betrokke was by die swart bewussynsleier Steve Biko se dood en die Motherwell-bomontploffing waarin twee swart polisiemanne dood is), Wouter

Basson, Eugene de Kock en kommissaris en die hoofde van die veiligheidspolisie wat vanaf Vorster tot De Klerk se bewind gedien het.

“Neurenberg-verhore sou 'n vinnige proses gewees het. Twee stelle verhore, bv. een vir politici en senior amptenare en een vir die operateurs. So ses of sewe van elk. Dit is ook baie simbolies. By Neurenberg is vir die slagoffers (van die Tweede Wêreldoorlog) gesê ons sien jul lewens is verwoes, maar hier word mense aanspreeklik gehou daarvoor.”

4.2.1.5 FOUTE EN DIE WVK

Friedman sê die een groot fout van die WVK was dat meer mense tussen 1994 en 1999 in Suid-Afrika geweldig gesterf het as in enige ander tydperk.

“Daar was 'n daverende stilte daaroor. De Klerk het die Nobel-Vredesprys gekry. Aartsbiskop Desmond Tutu het my vertel dat die Nobel-Komitee hom gebel het die aand voordat hulle die besluit oor De Klerk geneem het, en sy (Tutu se) seën daarop gevra het. Hy het gesê hy dink dit is 'n puik idee.

“Ek was vroeg in Desember (1999) by Tutu in Atlanta. Hy sê as hy toe geweet het wat hy nou weet (sy teleurstelling met De Klerk se getuienis voor die WVK), sou hy daardie toekenning ten sterkste afgeraai het.”

Daar is talle sake wat nog onopgelos is, soos die treinmoorde en die oorlog tussen die ANC en die Inkatha-Vryheidsparty. “Dit is naïef om te dink die staat was nie daarby betrokke nie.”

Met die samestelling van die WVK het Friedman ook probleme. “Ek dink nie jy kan Nazi's as kommissaris op die WVK plaas nie. Een kommissaris was 'n lid van die AWB. Ek beskou AWB-lede as Nazi's. Die WVK het agteroor gebuig om alle dinge vir alle mense te probeer wees.”

Friedman meen sommige kommissaris was hul sout werd, en ander nie. Hy wil nie name noem nie, maar sê sommiges was gelukkig om aangestel te word en het bloot gapings gevul.

“Apartheid was fundamenteel boos. Daarom glo ek die bevrydingsmagte het 'n regverdige stryd gestry.”

Volgens Friedman gaan 'n paar boeke oor die WVK nog verskyn wat nuwe lig op die hele proses gaan werp. “Ek sal oor tien jaar dalk totaal anders hieroor voel.”

Hy sê daar is meriete in Anthea Jeffrey se kritiek in haar boek *The Truth about the Truth Commission*.

Friedman meen een van die groot gebreke in die WVK se mondering was sy regsafdeling. “Hulle het 'n aansienlik gedugter regsman nodig gehad, werklik intellektueel-juridiese swaargewigte. Kyk maar na die kruisverhoor van Glenn Goosen van die ondersoekende kommissie op FW de Klerk. Daar is so baie dinge wat 'n mens gehoop het hy vra hom. Dit was soos 'n klein brakkie wat vir 'n week lank nie geëet het nie.”

4.2.1.6 DESMOND TUTU

Friedman meen Tutu is die enigste persoon in Suid-Afrika wat geskik was om die taak as WVK-voorsitter uit te voer. “Dit was 'n onmoontlike taak. Die WVK kon nie behoorlik met Botha en De Klerk optree nie. Dit is nou wel vreeslik Christelik om met hulle te gaan sit en tee drink, maar 'n paar mense het beslis deur die net geglip.

“Jy moet egter nie uit die oog verloor nie dat die WVK die resultaat van 'n politieke skikking was. Sommige wou Neurenberg-verhore hê en ander algemene amnestie. Ek dink nie mense besef hoe seergemaak Tutu voel omdat baie Suid-Afrikaners hom nie vertrou nie. Hy is 'n groter man as almal van ons. Mense besef ook nie hoe ver hy agteroor gebuig het met die uitreiking van die WVK-verslag en hoe moeilik dit vir hom moes gewees het met die hofsake nie (van die ANC en De Klerk).

“Hy het beslis nie genoeg krediet gekry vir sy bydrae nie. Dalk sal hy dit nooit kry nie. Wit mense het sy suspisies bevestig. Swart mense weer voel hy was hopeloos te sag.”

4.2.1.7 BERIGGEWING TYDENS WVK-SITTING OOR CBO

Friedman voel verslaggewers het te min gedoen om getuienis met die WVK se CBS in konteks te plaas.

“Daar was elke dag net die een opspraakwekkende onthulling op die ander wat ons besig gehou het. Ons dekking daarvoor was eintlik swak. Dit was net gifstories. Ons het nie die gapings gevul nie. Al drie Kaapse dagblaaie het basies die harde nuushoeke in hul beriggewing gekies.

“Dit was belangrik om nie net te beskryf dat iemand op 'n bepaalde plek en tyd dood aangetref is nie, maar om die konteks te verduidelik. As daar bv. 'n getuie in die tronk dood is, moet ek gaan navorsing doen oor al die sterftes in tronke, bv. hoeveel mense in die jare sewentig en tagtig in tronke dood is.

“Met die CBO-sitting kon ons nie daardie inligting in die hande kry nie omdat so baie inligting onderdruk is. Dit is jammer dat Suid-Afrika nie al die inligting oor die chemiese en biologiese episode kon kry nie weens die vrees dat internasionale verdrae verbreek sou word en die hangende Basson hofsak.

“Soms gaan jy terug kantoor toe en skryf 'n storie en voel baie goed daarvoor. Met die CBO-sitting het ek nooit daardie gevoel gekry nie,” sê Friedman.

4.2.1.8 PUNT VAN DIE YSBERG?

Een baie groot voordeel van die sitting oor CBO is dat dit een van die weinig gevalle was waar wandade deur gewese weermagleiers voor die WVK aan die lig gekom het, sê Friedman.

Polisielede soos Eugene de Kock en Dirk Coetzee het as 't ware met die hele sak patats vorendag gekom voor die WVK, terwyl weermaglede “byna ongeskonde” daarvan afgekom het.

'n Voormalige weermaghoof en tans politikus, genl. Constand Viljoen, het dit ook reeds gestel dat hy op grond van regsadvies nie na die WVK is nie. Alle weermaglede wat hom hieroor raad gevra het, het hy dienooreenkomstig geadviseer. Die Polisie het die saak anders benader.

Friedman is van mening dat Vlakplaas maar die punt van die ysberg was - mense soos De Kock en die askari's Almond Nofomela en Joe Mamasela. Vlakplaas was 'n besepte plek. Maar daar is andere, sê Friedman. Tempe (met verwysing na die onlangse voorval waarin 'n swart Apla lid talle wit makkers doodgeskiet het) is nie 'n geïsoleerde voorval nie. “Daar was nooit 'n behoorlike integrasieproses in die weermag nie. Dit was bloot 'n absorpsieproses.”

Die polisie is uiters blootgestel voor die WVK, wat bydra tot sy huidige geloofwaardigheidskrisis, terwyl menseregteskendings deur die destydse Suid-Afrikaanse Weermag beswaarlik aan die kaak gestel is.

4.2.2 ROBERT BRAND

4.2.2.1 BERIGGEWING OOR DIE WVK

'n Mens onderdruk jou emosies en gevoelens as jy as joernalis sit en werk en jy konsentreer op jou werk, sê Robert Brand, wie se berigte in die Cape Times gebruik is tydens die WVK se sitting oor CBO. Brand is tans 'n politieke verslaggewer van The Star.

“Jou eie gevoelens kom nie so ter sprake nie. In 'n mate was dit ook 'n frustrerende aspek daarvan om die WVK in die gedrukte media te dek. Oor radio en veral televisie kon jy baie meer van die emosies vasvang. Dit is baie makliker om soiets oor radio of

televisie te dek, want die uitdaging was altyd om bietjie van die emosie betrokke by jou storie in te bring. Dit was nogal moeilik gewees.”

4.2.2.2 WVK

Die idee van 'n WVK en die wet was noodsaaklik. Dit was in beginsel 'n goeie wet. 'n Probleem was net dat die WVK nie altyd die kundigheid gehad het om die wet behoorlik uit te voer nie, bv. forensiese kundigheid, opgeleide ondersoekbeamptes en regsgeleerdes. Dit was 'n soort kwasi-hofsituasie. Maar hulle het nie die kundigheid gehad om aangeleenthede behoorlik te gaan ondersoek nie. Baie in die finale verslag berus op hoorsê-getuienis, sê Brand.

“Ons is nou ses jaar op die pad (sedert die eerste demokratiese verkiesing). Die WVK was basies 'n uitstelmechanisme. As ek 'n swart mens was, sou ek ná 1994 wou wraak neem. Dit sou 'n heel natuurlike reaksie gewees het. Ek sou baie bitterheid in my gehad het. Baie daarvan is nou oor. Die WVK het daarin geslaag om dit 'n bietjie te vertraag, uit te stel.

“In daardie opsig het die WVK baie goed geslaag. Die uitvoering van die WVK taak van reparasie en rehabilitasie sloer nou wel bietjie, maar daar is nie duisende mense wat voor die WVK-kantore staan en geld wil hê nie.”

Brand meen die WVK was 'n geleentheid vir wit mense in Suid-Afrika. En dit was “baie effektief” in daardie opsig, as gedink word aan mense soos Eugene de Kock, Adriaan Vlok, Johan van der Merwe en die Cosatu-huis-bom.

“Ek onthou destyds, jy glo amper alles wat hulle sê. In daardie opsig het die WVK 'n mens se oë laat oopgaan. Jy kan amper nie glo wat hulle alles gedoen het nie. In daardie opsig was die WVK 'n meganisme om swart mense se woede te kanaliseer, 'n soort uitlaatklep wat redelik goed gewerk het.

“Dit is nog nie afgehandel nie. Ons is nou ses jaar na die politieke oorgang en nie enige van die oordeelsdagscenario's het gerealiseer nie, deels omdat 'n meganisme soos die WVK 'n uitlaatklep gebied het. Ek dink nie wit mense was genoeg betrokke

nie. Dit was 'n geleentheid om hul lei skoon te vee. Vir swart mense was daar groot terapeutiese waarde in en alles wat voorgelê is, word nou half amptelike geskiedenis van die land. In die verlede is dit heeltemal misken.”

4.2.2.3 NEURENBERG-VERHORE

“Hulle sou bitter min ouens kon vastrek. Neem bv. die Cradock Vier - daar is geen manier hoe jy daardie ouens in 'n hof sou kon skuldig bevind het nie. Dit het die WVK gekos om hulle sover te kry om te sê: ‘Ons het dit gedoen.’ Dit het uitgekom danksy die WVK. Neem Eugene de Kock as voorbeeld en kyk hoe lank het dit geneem om net een ou aan die pen te laat ry vir 'n klein gedeelte van die goed wat hy gedoen het.

“Dieselfde in die geval van Steve Biko se dood. Daar het nie voldoende getuienis bestaan nie. As daardie ouens nie bereid was om getuienis te gaan aflê nie, was daar geen getuienis nie en sou geen hof hulle kon skuldig bevind nie. As jy nie by behoorlike konvensionele hofprosedures gehou het nie, was Neurenberg-verhore dalk 'n opsie,” aldus Brand

4.2.2.4 DEKKING VAN DIE WVK-SITTING OOR CBO IN DIE CAPE TIMES

Die sitting oor CBO was 'n geval wat uitgeknipt was vir koerantdekking omdat daar baie getuienis deur wetenskaplikes was. Dit was stof wat baie moeilik in 'n kort radio- of televisieberig saamgevat kon word. By ander sittings was die menslike aspek veel belangriker, maar by die CBO-sitting was daar meer die objektiewe feite-aspek, sê Brand.

“Die inhoud was oorweldigend vir een verslaggewer. 'n Britse koerant soos The Guardian sou ses of sewe verslaggewers daar gehad het. Een doen verslag en die ander krap daar rond. Jy het nie tyd om nog oor allerhande goed ondersoek in te stel as jy nog verslag moet doen oor die verrigtinge nie. Baie goed wat gesê is, was 'n ‘pie in the sky’. Mens het tyd nodig gehad, asook die kundigheid, om die korrels van die kaf te skei.”

“'n Groot probleem was dat ons nie verslaggewers gehad het wat regtig genoeg wetenskaplike kennis gehad het nie. In Engeland sou koerante onmiddellik hul wetenskaplike skrywers ingestuur het om bv. ondersoek in te stel oor metodes hoe om Ecstasy te maak en aan te wend (bv. kan dit in 'n rookgranaat gebruik word). As ons die kundigheid gehad het, sou ons baie meer detail kon uithaal. Maar daar was geen manier om aansprake gou te kontroleer nie.

“Een van die Cape Times se probleme is dat hy 'n klein koerantjie is wat eenvoudig nie baie ruimte het nie.”

4.2.2.5 WOUTER BASSON

“Alles wat Basson in die chemies-biologiese program gedoen het, het hy in elk geval by Engeland en Libië gekry. Hy het geen nuwe tegnologie hier ontwikkel nie. Amerika en Engeland het dit alles reeds. En almal sê maar dit is defensiewe programme.

“'n Klomp mense het hulself in die ding ingelaat sonder dat hulle besef het waarom dit uiteindelik gaan. Jan Lourens, Mike Odendal, Johann Koekemoer en Daan Goosen het in die begin nie geweet waarom dit gaan nie. Ek kan nie mooi verstaan hoe hulle gedink het die eksperimente met Ecstasy pas in by die nasionale belang nie. Hulle was miskien polities bietjie naïef. Hulle het nie mooi gedink wat hulle doen nie.

“Vir Basson was dit 'n patriotiese ding toe hy begin het. Hier rondom 1988, '89 het hy blykbaar skielik geld begin verduister en Ecstasy en Mandrax begin maak toe hy sien in watter rigting die wind waai. Hy het blykbaar besluit hy het sy hande vuilgemaak oorsee en hy gaan nou vat wat hy kan kry. Hy sal op die ou end aan die pen ry, maar sy vrou en kinders sal welaf wees.”

4.2.3 JOHN SCOTT

4.2.3.1 WVK

Die WVK het uiteraard sy swakhede gehad, maar het baie meer goed gedoen, sê John Scott, waarnemende redakteur van die Cape Times.

“Ek dink dit het gehelp om as 'n katarsis te dien vir duisende mense wat onder apartheid gely het, gemartel is en geliefdes verloor het.

“Natuurlik het alles nie uitgekom nie. Geen oefening van hierdie aard is perfek nie, maar dit is soos om na 'n terapeut of psigoanalise te gaan. Die blote feit dat jy kan sit en praat is klaar helend. Dit is dieselfde in die Rooms-Katolieke Kerk waar lidmate hul sonde gaan bely. Dit bied geleentheid vir emosionele ontlading.”

Scott voel 'n Neurenberg-situasie sou Suid-Afrika net verder gepolariseer het.

“Daar is nog baie versoening wat tussen swart en wit moet plaasvind. Baie mense voel talle skuldiges het met moord weggekom. Hulle moes op 'n manier gestraf word. Mense soos PW Botha, Adriaan Vlok, Magnus Malan - al hierdie soort mense wat politiek verantwoordelik was vir baie dinge wat gebeur het. Baie mense het sterk gevoelens hieroor. Maar, hoe ookal, ons moes 'n amnestieproses hê.”

4.2.3.2 DESMOND TUTU

Scott sê hy kan nie aartsbiskop Desmond Tutu genoeg lof toeswaai nie.

“Sonder om ander WVK-kommissarisse se rol te verkleineer, moet ek sê Tutu was die WVK. Danksy hom het dit geweldige aanvaarding en respek verkry, plaaslik en in die buiteland. Ek glo nie dit sou sonder hom uitgewerk het nie. Hy was die regte persoon op die regte tyd op die regte plek.”

4.2.3.3 BERIGGEWING IN CAPE TIMES

Scott is tevrede met die dekking wat die Cape Times aan die WVK gegee het.

“Jy moet onthou, dit het vir jare aangehou. Lesers begin belangstelling verloor. Ons lesers is grootliks mense in die hoë-inkomste-groep, welaf of besonder welaf mense. Dit is mense wat nie juis geraak is deur wandade onder apartheid nie, alhoewel hulle baie simpatiek teenoor die slagoffers en woedend daaroor mag wees.

“Die gatvol-faktor (sic) het weer hier 'n rol gespeel. Mense het verveeld begin raak om week ná week min of meer dieselfde storie te lees. Wouter Basson is so 'n twyfelagtige karakter, so ook Eugene de Kock. Ek het eintlik nie woorde om Basson se optrede te beskryf nie. Mense is byna gehipnotiseer deur die getuienis wat daar op die lappe gekom het. Selfs gru getuienis soos daardie begin mettertyd 'n soort eendersheid ontwikkel.

“Lesers begin later vir 'n ander dieet vra. Ons moes dit in gedagte hou. Ons het gevolglik nie daarmee volgehou op die voorblad nie, maar dit steeds deeglik op binneblaaie gedek.”

Sirkulasiegewys het die koerant beter as normaal verkoop by 'n paar geleenthede met groot stories, maar in geheel is nie enige noemenswaardige verandering in sirkulasie vanweë WVK-beriggewing bespeur nie, sê Scott.

Scott het die getuienis wat op die CBO-sitting gelewer is, as “absoluut afgryflik en grusaam” beskryf.

“Dit is ongelooflik dat 'n regering sulke sinistere vuilspel wat tot massamoorde kan aanleiding gee, kon goedkeur. 'n Mens begin onmiddellik aan Hitler en ander malletjies dink - daardie biologiese goed. En mense soos Saddam Hoesein en Stalin.”

Scott voel oudpres. F.W. de Klerk se getuienis voor die WVK was ontwykend.

“Ek kan nie verstaan hoe iemand wat langer as vyf jaar president van 'n land was, so oningelig was nie. De Klerk is 'n hoogs intelligente man. Dit was reg van die WVK om indringende vrae aan hom te vra. Ek ken hom persoonlik. En ek hou van hom. Hy het geweldig dapper opgetree deur die ANC te ontban en Mandela vry te laat. Ek vergelyk hom graag met Michail Gorbatsjof.

“Maar teen die einde het hy skynbaar begin bang raak en dit nie deurgevoer met dieselfde dapperheid nie. Dit was hoogs onverantwoordelik om homself nie meer ingelig te hou oor wat aan die gang was nie.”

Scott sê as dit by die skryf van hoofartikels kom, het die Cape Times die WVK gesteun. “Ons het gemeen dit was die regte ding om te doen en het beslis van Die Burger verskil.”

5. Die Burger

5.1 Ontleding van beriggewing tydens WVK se CBO

Dekking verleen tydens die WVK se sitting oor CBO aan getuienis van drs. Jan Lourens, Niel Knobel, Lothar Neethling en Wouter Basson.

9 Junie 1998

Voorblad

Hoofberig

Verslaggewer: Jannie Ferreira

Opskrif: Gif tot in ringe en kieries op diere getoets

Inleiding: Skroewedraaiers met lang spuitnaalde, sambrele en wandelstokke wat dodelike gifstowwe uitskiet en traanrooeksperimente op bobbejane wat vasgegespe sit, was alles deel van Suid-Afrika se program vir chemiese en biologiese oorlogvoering. Só het die WVK gister hier in sy spesiale sitting gehoor.

Inhoud:

- Die sitting kon eers die middag begin nadat regsverteenvoerders van pres. Nelson Mandela en adj.-pres. Thabo Mbeki die oggend ernstige pleidooie gelewer het dat die verrigtinge in camera geskied. Prof. Fink Haysom van Mandela se Kantoor, me. Mojanku Gumbi van Mbeki s'n, en mnr. Abdul Minty, voorsitter van die Suid-Afrikaanse Raad vir Nie-Proliferasie van Wapens van Massa-uitwissing, het aangevoer 'n openbare sitting kan Suid-Afrika se toekomstige rol op dié gebied in die weegskaal plaas.
- Die WVK het egter besluit om voort te gaan en onderneem om nie sensitiewe inligting bekend te maak nie. Die Regering is genooi om 'n regsverteenvoerder na die verrigtinge te stuur.
- Dr. Jan Lourens, voormalige hoof van die frontmaatskappy Protechnic, het met die hervatting van die verrigtinge getuig dat spesiale skroewedraaiers vervaardig is met dodelike stowwe in die handvatsel en 'n lang spuitnaald tot by die punt. Benewens die

skroewedraaier is 'n sambreel en wandelstok ontwikkel wat 'n klein balletjie, gelaai met 'n dodelike gifstof, kon uitskiet. Die balletjie was van 'n stof wat baie moeilik in 'n X-straalondersoek raakgesien kon word. Gif is ook in ringe versteek.

- Lourens het by geleentheid opdrag van dr. Wouter Basson ontvang om 'n skroewedraaier by 'n agent in Engeland te gaan aflewer. Hy het die Afrikaanssprekende man, Trevor, op 'n stasie naby Ascot ontmoet. Terwyl Lourens die gebruik van die skroewedraaier in 'n woning gedemonstreer het, het hy van die dodelike stof op sy hand gemors en per abuis sy mond daarmee afgegee. Hy het badkamer toe gestorm en 'n bottel ontsmettingsmiddel uitgedrink, wat hom laat vomeer het. Daarna was hy vir 'n tyd bewusteloos. Basson kon nie glo Lourens het oorleef nie.
- Genl. Niel Knobel se regsverteenvoerder, mnr. H.J. du Plessis, het teen die einde van Lourens se vier uur lange getuigenis na hom as 'n “martelgat” verwys. Die voorsitter, mnr. Dumisa Ntsebeza, het hom streng berispe. Du Plessis het die stelling teruggetrek en dit daarna op aandrang weer teruggetrek en om verskoning gevra.
- Lourens het ook getuig dat navorsing oor chemiese oorlogvoering op 'n plaas naby die Roodeplaat Dam by Pretoria gedoen is. Honde, bobbejane, sjimpansees en rotte is gebruik. Hyself het gesien hoe traanrook ingegooi is by 'n hok waarin 'n bobbejaan aangehou is. Hy moes 'n stoel verskaf waarop 'n bobbejaan vasgegespe is vir eksperimente.
- Op 'n vraag van mnr. Hanif Vally, hoofregsadviseur van die WVK, oor die etiek van die projekte het Lourens gesê: “Met die luukse om ná jare terug te kyk het ons nou al die wysheid, maar destyds is jy geleidelik ingesuig in 'n struktuur waarin jy weens interne sekerheid net toegelaat is om te weet wat nodig is. 'n Mens het nie die volle implikasies van die projekte dadelik besef nie.”

12 Junie 1998

Bladsy 2

Verslaggewer: Jannie Ferreira

Opskrif: Dwelms se rook ‘moes angel uit oproeriges haal’

Inleiding: Reuse-hoeveelhede Mandrax, LSD en dagga is in opdrag van mnr. Louis le Grange, destydse Minister van Wet en Orde, aan dr. Wouter Basson verskaf om

rookgranate te maak wat oproeriges “so mak soos lammetjies” sou maak. Só het die WVK gister op sy sitting oor CBO gehoor.

Inhoud:

- Elke keer dat genl. Lothar Neethling egter by Basson navraag gedoen het oor sy vordering met die ontwikkeling van die granaat, was die antwoord: “Ons sukkel ons dood om die goed in die lug te kry.”
- Le Grange, genl. Johan Coetsee, gewese polisiekommissaris, en genl. Nicol Nieuwoudt, geneesheer-generaal, het met Neethling vergader en hom versoek om Basson te help. Genl. Constand Viljoen, destydse weermaghoof, sou ook by die vergadering wees, maar kon nie die afspraak nakom nie.
- Neethling het gesê hy weet nie of 'n rookgranaat wat dagga- of Mandrax rook afgee, ooit in Suid- Afrika ontwikkel is nie. Op die vraag of ander lande rookgranate van die aard gebruik, het Neethling gesê die Amerikaners het “pragtige goed, maar baie lande praat in nasionale belang liefs nie daaroor nie”. Oproeriges raak so mak soos lammetjies as die Amerikaners hul rookgranate gebruik, het hy gesê.
- Dr. Daan Goosen, gewese besturende direkteur van die Roodeplaat Navorsingslaboratorium, het getuig ondersoek is ingestel na die moontlikheid van 'n entstof of bakterie wat net gepigmenteerde vel aanval. Die plan was om so die aanwas van die swart bevolking te beperk. Krygkor personeel is egter in 'n lokval in Parys in hegtenis geneem en die projek is laat vaar.
- Goosen het die RNL bestempel as “van die beste ter wêreld, selfs beter as wat die Russe gehad het”.
- Neethling het gesê hy het by die Unita magte in Angola minstens sestig slagoffers van chemiese oorlogvoering gesien, vermoedelik van senu- en sianiedgas. Op 'n vraag van kamm. Yasmin Sooka het hy gesê daar is “gevorderde lande wat goed het wat u met ontsettende vrees sal vervul”.
- Volgens Neethling is die owerhede “met die uitbreek van onluste in 1976 met die broek op die knieë gevang. Ons het net vuurwapens gehad. Ek het gaan kyk wat die Duitsers, Engelse en Amerikaners gebruik. Vandag val die wêreld oor hul voete om van ons produkte te koop. Ons het niesmasjiene, waterkanonne, gasmaskers, rubberknuppels, Casspirs en mynopspringstoestelle”.

- Die bewering van die oudpolisieman Dirk Coetzee en die daaropvolgende hofgeding met die koerant Vrye Weekblad het sy loopbaan versuur, sê Neethling. Coetzee het aangevoer Neethling het gif aan hom verskaf om op iemand te gebruik.

13 Junie 1998

Bladsy 2

Verslaggewer: Jannie Ferreira

Opskrif: Arts het gifwapenplanne beraam, hoor WVK

Inleiding: Dr. Wouter Basson was aan die hoof van sy eie bevelstruktuur in die opbou van Suid-Afrika se chemiese en biologiese wapenarsenaal, iets waarvan die amptelike beheerliggaam kennelik nie bewus was nie. Dit is die afleiding wat genl. Niel Knobel, vorige geneesheer-generaal, gemaak het nadat hy 'n verkopelys van die Roodeplaat Navorsingslaboratorium (RNL) onder oë gehad het.

Inhoud:

- “Ek was geskok toe ek die dokument sien en het besef daar het meer as een bevelskanaal ontstaan. Basson was veronderstel om my oor alles in te lig. Hy was egter toe reeds met pensioen op grond van aanbevelings in genl. Pierre Steyn se verslag,” het Knobel getuig.
- 'n Bobbejaanfetus is volgens die lys op 27 Julie 1989 deur die RNL verkoop. Die fetus van 'n bobbejaan is in Augustus 1989 in dr. Desmond Tutu se tuin in Bishops court, Kaapstad, aangetref.
- Volgens Knobel het hy dit met genls. Kat Liebenberg en Jannie Geldenhuys bespreek. Hulle het hom gevra om die saak daar te laat. Knobel, gewese professor in anatomie aan die Universiteit van Pretoria en tot einde November 1997 geneesheer-generaal, het getuig dat hy oudpres. F.W. de Klerk en pres. Nelson Mandela gereeld ingelig het oor sake rakende chemiese en biologiese oorlogvoering.
- Amerika en Engeland het vroeg in 1994 in 'n diplomatieke protesnota Suid-Afrika gewaarsku om te verseker dat inligting oor die chemiese en biologiese oorlogvoeringsprogram nie in die hande van die ANC val nie, het Knobel getuig.

Boonop was Suid-Afrika glo in 'n chemiese en biologiese verband betrokke in Kroasië.

- Volgens Knobel het sekere voorvalle voor die diplomatieke protesnota hom laat glo dat “iets aan die gang is” in die chemiese en biologiese program en dat die nota hom uiteindelik daarvan oortuig het.
- Hy het egter ontken dat hy geweet het presies wat dr. Wouter Basson, projekhoof van die program, doen of dat moordwapens ontwikkel is. Die voorsitter van die WVK paneel, mnr. Dumisa Ntsebeza, het ook genoem dat daar tans met mnr. Roelf Meyer, voormalige Minister van Verdediging, in verbinding getree word in verband met bewerings deur getuies wat hom betrek. Dr. Jan Lourens het vroeër getuig dat hy Meyer via 'n prokureursvriend ingelig het oor Projek Skroewedraaier. Dr. Daan Goosen het getuig dat hy Meyer ('n vriend van hom) in 'n vier uur lange gesprek ingelig het oor die RNL en ander aangeleenthede.
- Basson het die chemies-biologiese programme van baie lande binnegedring om Suid-Afrika op die hoogte te bring van die nuutste tendense wêreldwyd, het Knobel getuig. Waar die klem vroeër op die ontwikkeling van dodelike gifstowwe geval het, is bevind dat die supermoondhede hul meer begin toespits op buite-aksiestellings en teen-oproermiddels.
- Die beheerstruktuur en die mense wat verantwoordelik was vir die opbou van Suid-Afrika se chemiese en biologiese wapenarsenaal, het ook op die sitting ontvou. Basson, 'n hartspesialis met 'n meestersgraad in chemie, was die projek-offisier en sekretaris van die koördinerende bestuurskomitee vir chemiese en biologiese oorlogvoering, het Knobel gesê. Die komitee het aanvanklik bestaan uit die hoof van die weermag, die geneesheer-generaal, die hoof van staf: finansies en die hoof van staf: intelligensie. Die hoof van die leer, die bevelvoerder van spesiale magte, die hoof van staf van die verdedigingsbevelsraad, die hoof van die lugmag, lede van Krygkor en 'n afgevaardigde van die ouditeur-generaal het ook bygekom. Benewens die bestuurskomitee was daar ook 'n veiligheidskomitee, finansiële komitee en 'n administratiewe komitee.
- Knobel het gesê hy is nie bewus van enige chemiese aanval wat al deur Suid-Afrika uitgevoer is nie. Die doel van die program was om 'n “defensiewe vermoë” te ontwikkel, wat insluit “dat jy kan terugslaan as jy wel aangeval word”.
- Inligting oor die chemiese en biologiese programme van ander lande is deurlopend ingesamel met behulp van Suid-Afrika se intelligensiedienste, waaronder die

Nasionale Intelligensiediens, Militêre Inligting en die Veiligheidspolisie, het Knobel getuig.

19 Junie 1998

Bladsy 9

Verslaggewer: Jannie Ferreira

Opskrif: Basson 'kry werk terug - vrese dat hy sou vlug'

Inleiding: Dr. Wouter Basson is heraangestel deur pres. Nelson Mandela se ANC regering uit vrees dat hy landuit sou vlug, wat verreikende gevolge kon hê. Basson was die sleutelfiguur in Suid-Afrika se chemiese en biologiese wapenprogram, het genl. Niel Knobel, vorige geneesheer-generaal, gister hier op 'n sitting van die Waarheids-en-versoeningskommissie getuig.

Inhoud:

- Oudpres. F.W. de Klerk het in 1992 op grond van aanbevelings van genl. Pierre Steyn se ondersoek na Militêre Inligting opdrag gegee dat Basson, toe 'n brigadier, met pensioen ontslaan word. Basson is as lid van die Burgermag steeds aangewend.
- Volgens Knobel het hy en mnr. Mike Kennedy van die Nasionale Intelligensiediens pres. Nelson Mandela in Augustus 1994 volledig ingelig oor die opbou van Suid-Afrika se chemiese en biologiese wapenarsenaal. Adj.pres. Thabo Mbeki is ook by twee geleenthede volledig daaroor ingelig, sê Knobel.
- Mandela het breedvoerige inligting oor Basson en sy werksaamhede ontvang. "Die vraag het toe ontstaan: wat doen jy met die man?" het Knobel getuig. Hy is toe in 'n siviele pos in 'n militêre hospitaal op die vlak van 'n generaal-majoor aangestel. Die voorsitter van die WVK paneel, mnr. Dumisa Ntsebeza, wou van Knobel weet wat die rede was. "Was julle bang die man vlug landuit en stel die land verder bloot? Hou hom liever hier in toom?" "Ja, u het dit baie goed opgesom, meneer die voorsitter," het Knobel hom geantwoord.
- Basson se posisie is voor die verkiesing van 1994 met De Klerk bespreek nadat 'n politieke protesnota van Amerika en Engeland ontvang is. De Klerk het besluit hy gaan 'n besluit oor Basson aan die nuwe president oorlaat.

- Volgens Knobel is aan De Klerk uitgewys dat Basson 'n geding kon begin weens onwettige afdanking, soos van sy kollegas gedoen het. Basson was die sleutelfiguur in onderhandelings met Amerika en Engeland oor chemiese en biologiese oorlogvoering. Hy het hulle ook breedvoerige voorligting gegee oor “wat ons het”, sê Knobel . Hy het gesê die huidige werkgroep oor chemiese wapens, sowel as die werkgroep oor biologiese wapens, is saamgestel uit “die top-mense” in Suid-Afrika.
- Knobel sê hy het Basson gereeld gekonfronteer oor bewerings van finansiële ongerymdhede teen hom. Hy het dit ontken en gesê hy word waarskynlik verwar met iemand anders met dieselfde naam.

19 Junie 1998

Bladsy 9

Verslaggewer Jannie Ferreira

Opskrif: Omkoopgeld vloei vir chemiese wapenstof, hoor WVK

Inleiding: Dit was algemene praktyk om omkoopgeld te betaal sodat die land die chemiese stowwe wat nodig was, in die hande kon kry, het genl. Niel Knobel getuig op 'n WVK sitting oor die opbou van Suid-Afrika se chemiese en biologiese wapentuig. Geld is ruimskoots in Amerikaanse dollar voorgeskiet aan dr. Wouter Basson, projekoffisier en sekretaris van die koördinerende bestuurskomitee vir chemiese en biologiese oorlogvoering.

Inhoud:

- Basson het gewoonlik met huurvlugte oor Afrika na Europa gereis, waarvoor \$75 000 by geleentheid deur lt.genl. Joffel van der Westhuizen, hoof van staf: inligting, aan hom toegeken is. Doeanebeamptes moes onder meer omgekoop word om nie die vliegtuig te deursoek nie. In N'Djamena, hoofstad van Tsjad, het hy \$12 000 opgedok, in Douala, Kameroen, \$5 000 en \$10 000 in Kroasië om toegang tot weermaglede te verkry.
- 'n Suid-Afrikaanse offisier wat agterstallige skuld in Kroasië probeer invorder het, is in hegtenis geneem. Genl. Kat Liebenberg het Basson opdrag gegee om die situasie “te gaan uitsorteer”.
- Basson is kort daarna in Junie 1993 in Switserland in die tronk gestop. Dit het die Suid-Afrikaanse belastingbetaler \$36 000 uit die sak gejaag om Basson vrygelaat te

kry. Die geld in Kroasië kon nie ingevorder word nie. Basson het agterna 'n dokument opgestel oor die mislukte transaksie. Volgens Knobel is 500 kg Mandrax in Kroasië aangekoop om in eksperimente te gebruik vir die ontwikkeling van 'n teenoproermiddel. In 1994 het hy R240 000 aan Basson goedgekeur vir die “oplos van die situasie” in Kroasië en Switserland.

- Hy het by verskeie geleenthede sy kommer oor Basson teenoor Liebenberg geopper. Liebenberg het telkens geantwoord dat hy dit “in die hande van die D'Oliveira kommissie moet laat, want hy ondersoek die sogenaamde derdemag-bedrywighede”. Geld is ook aan Basson toevertrou vir die opening en rondskuif van rekenings in Europa. Die geld moes nie terugspoorbaar na die Suid-Afrikaanse Weermag wees nie. Gevolglik is dit via frontmaatskappye gekanaliseer. “Daardie projekte moes deur die Minister van Verdediging goedgekeur word.”

- Knobel het getuig dat hy Basson oorreed het om met mnr. Mike Kennedy van die Nasionale Intelligensiediens saam te werk in hul ondersoek. Knobel het die paneel by herhaling versoek om ook Kennedy te roep om te getuig ten einde 'n volledige prentjie te verkry.

- Volgens Knobel is 'n groot hoeveelheid Mandrax met sy goedkeuring sowat 100 seemyle suid van Agulhas in die see gestort.

- Op 'n vraag van mnr. Hanif Vally, hoofregsbeampte van die WVK, oor Projek Academic, het Knobel gesê dit handel oor “verdedigingstoerusting, protesoptogte, ens., ens.”

9 Julie 1998

Voorblad

Verslaggewer: Jannie Ferreira

Opskrif: Basson ‘het R244 m. van die Vatikaan onderskep’

Inleiding: Dr. Wouter Basson het \$40miljoen (sowat R244 miljoen) waarmee die Vatikaan wapens wou koop, onderskep om die Kroatiese regering te dwing om 'n rekening te vereffen, luidens 'n dokument wat op gister se WVK sitting oor chemiese en biologiese oorlogvoering bespreek is.

Inhoud:

- Genl. Niel Knobel het getuig dat Basson die Kroatiese stad Zagreb in Januarie 1993 besoek het. Luidens Basson se skriftelike verduideliking het hy inligting van die Deense intelligensiediens ontvang. Hy het die \$40 miljoen se toonderverbande waarmee die Vatikaan glo wapens in Kroasië bestel het, in Switserland vir kontant probeer wissel, maar is in hegtenis geneem.
- Knobel het getuig sover hy weet, is 'n bestelling van 500kg Mandrax wat Suid-Afrika in Kroasië geplaas het, wel uitgevoer. Die Switserse intelligensiehoof, ene genl. Regle, het hom egter daarvan oortuig dat R3,5 miljoen in 'n ander transaksie in Kroasië verlore is.
- Knobel het getuig drie mense hou die sleutel tot Suid-Afrika se chemiese en biologiese geheime. Twee het sleutels en die derde een die kombinasie. Hulle is adj. pres. Thabo Mbeki, die geneesheer-generaal, lt.genl. Davidson Themba Masuku, en kol. Ben Steyn, brig. Wouter Basson se opvolger as projekoffisier vir die chemiese en biologiese program. Inligting word in 'n draagbare kluis binne 'n instap-kluis gehou. Al drie mense se samewerking is nodig vir toegang tot die kluis. Formules en tegniese en wetenskaplike inligting is op CD-Rom skywe gebêre deur Basson en dr. Kobus Bothma, wat deur die Suid-Afrikaanse Geneeskundige Dienste vir die taak gesekondeer is. Bothma (43), 'n ortopediese chirurg, is in Kanada. Daar is ook 'n sagte skyf met besonderhede oor toegang tot die inligting.

9 Julie 1998

Bladsy 2

Verslaggewer: Jannie Ferreira

Opskrif: Chemiese program 'wyd geprys'

Inleiding: Wêreld-deskundiges het aan genl. Niel Knobel gesê Suid-Afrika se chemiese en biologiese program is net so voortreflik soos die in die ou Sowjet-Unie, het Knobel voor die WVK getuig op 'n sitting oor chemiese en biologiese oorlogvoering.

Inhoud:

- “Don Marley en Graham Pearson het dit in my kantoor gesê. Die inligtings- en ambassade-personeel was nie daar nie,” het Knobel, gewese geneesheer-generaal, gesê.

Dit was in 1994 toe die Britte en Amerikaners sterk protes aangeteken het oor sekere reëlins rakende Suid-Afrika se chemiese en biologiese program en wou keer dat dit “in die ANC se hande val”.

- Volgens Knobel het Suid-Afrika 'n groot hoeveelheid CR-gas bewapen. Hy het gesê produkte in Projek Coast is in drie groepe geklassifiseer: dodelik, irriteermiddels en middels wat mense buite aksie stel. Dodelike middels is ontwikkel, maar nie bewapen nie. Knobel het sy kommer uitgespreek oor die huidige situasie, want daar is niemand om kol. Ben Steyn te vervang nie. Steyn is dr. Wouter Basson se opvolger as projekoffisier van Suid-Afrika se chemiese en biologiese program.

- Uit die ondervraging van Knobel het dit ook bekend geword dat genl. Magnus Malan, gewese Minister van Verdediging, R37 miljoen laat uitbetaal het aan dr. Philip Mijburgh se Medchem Consolidated Investments vir die afsluiting van sekere projekte. Die uitbetaling is ook deur mnr. Barend du Plessis, gewese Minister van Finansies, en genl. Kat Liebenberg, voormalige hoof van die Weermag, goedgekeur. 'n Verdere R15 miljoen is moontlik na Medchem gekanaliseer.

- Die ouditeur-generaal ondersoek die afgelope twee jaar die billikheid van die afsluitingsproses. Die Nasionale Intelligensie-agentskap en Keem ondersoek ook verskeie maatskappye en 'n netwerk van oudlede, het Knobel getuig.

- Omdat 7 Mediese Bataljon as 'n moordbende voorgestel is, het feitlik almal die land verlaat of bedank. “Hier word geen aandag gegee aan 7 Medies se prestasies nie. Talle lewens is danksy die eenheid gered, soos in die Oceanos seeramp, die Merriespruit ramp en die ramp in die Tanganjika Meer. Hier is geen aandag gegee aan die verdedigingstoerusting wat ontwikkel is nie, die waarskuwingstoestelle, ontsmettingstoerusting, ontsmettingsvloeistof - dit is 'n nasionale bate van strategiese belang wat ons nie kan vernietig nie,” het Knobel gesê.

- Mnr. Dumisa Ntsebeza, voorsitter van die WVK paneel, het Knobel daarop gewys dat al was 99% van wat gedoen is goed, dit volgens wet die WVK se taak is om op die 1% wat sleg was te konsentreer. Knobel het gesê hy is ewe ontsteld oor die aanduidings uit getuienis van wat moontlik alles verkeerd geloop het.

30 Julie 1998

Bladsy 4

Verslaggewer: Jannie Ferreira

Opskrif: WVK wou inligting vir amnestie hê - Basson

Inleiding: Die Waarheids- en-versoeningskommissie het twee jaar gelede amnestie aan dr. Wouter Basson aangebied sou hy sekere feite aan die kommissie beskikbaar stel, het hy gister hier in die WVK hoofkantoor onthul. Mnr. Dumisa Ntsebeza, voorsitter van die paneel, het hom onmiddellik in die rede geval en gesê hy beantwoord nie die vraag nie.

Inhoud:

- Basson was besig om die eerste vraag aan hom te beantwoord, naamlik of hy verstaan dat sy getuienis voor 31 Julie gelewer moet word. Basson het weer gesê die WVK se navorsingsafdeling het hom sedert Oktober 1996 verskeie kere genader om die afdeling te help met inligting, onder meer “sekere identiteite oorsee”, in ruil vir vrywaring teen vervolging. Ntsebeza het hom weer driftig in die rede geval en gesê hy beantwoord nie die vraag nie.
- Ná 'n halfdag se geredekawel waarin Ntsebeza Basson herhaaldelik gekapittel het omdat hy 'n halfuur laat opgedaag het en Basson daarvan beskuldig is dat hy “saamsweer om die WVK proses te saboteer”, is die sitting op versoek van Basson tot vanoggend uitgestel om aan hom geleentheid te gee om 'n regsverteenvoordiger aan te stel. Ntsebeza het gesê Basson het 'n “uiters onverskillige houding” teenoor die WVK, maar die sitting word ter wille van “billikheid en geregtigheid” uitgestel.
- Die drie advokate wat tot dusver vir hom verskyn het, advv. Jaap Cilliers, Piet de Jager en Tokkie van Zyl, is nie een vandag beskikbaar nie. Cilliers, wat die beste vertrouwd is met die feite van die saak, is eers môre beskikbaar. Sy prokureur, mnr. Adolf Malan, is weens die kompleksiteit van die saak meer by die administrasie en reëlins betrokke, het Basson gesê.
- Cilliers, van Pretoria, is besig met voorbereiding vir die bedrogsaak waarin hy dr. Allan Boesak verteenwoordig. Die situasie word verder gekompliseer deurdat die Weermag se regsafdeling weier om 'n ander regsverteenvoordiger te finansier, sê Basson.

- Basson was in teenstelling met die vorige kere, toe hy sy opwagting in Madiba hemde gemaak het, gister in 'n groenbruin pak geklee. Hy was weer vergesel van sy lyfwag. Hy het deurgaans uiters berekend en sag gepraat.
- Op die vraag van Ntsebeza of hy gretig is om saam te werk, het Basson gesê hy het nog niks gedoen om die proses te vertraag nie. “As u die saak tot môre uitstel, sal ek met dieselfde ywer regsverteenvoordiging probeer reël. My benadering is om my samewerking te gee sonder om myself en my regte te benadeel. Ek sal egter sekere ondernemings van die kommissie wil hê oor hoe my getuienis gehanteer gaan word, aangesien ek nog 'n reg op appél het (teen regter John Hlope se uitspraak dat hy hier moet getuig ondanks sy hangende strafsak).
- Mnr. John van Niekerk van Kaapstad het Basson bygestaan.
- Die WVK paneel se kommissaris was Ntsebeza, drr. Wendy Orr en Fazel Randera, adv. Denzil Potgieter en mev. Yasmin Sooka. Mnr. Hanif Valli, hoof WVK regsverteenvoordiger, het by navraag gesê die WVK het nie só 'n aanbod gedoen nie. “Ons vervolg nie mense nie en ons kan nie amnestie belowe nie - mense moet aansoek doen daarom.”

1 Augustus 1998

Voorblad

Verslaggewers: Jannie Ferreira en Nick Bezuidenhout

Opskrif: Basson moes Mandela “red”

Onderkop: ANC lede wou hom in gevangenis vergiftig, hoor WVK

Inleiding: Dr. Wouter Basson moes in die jare tagtig help verseker dat pres. Nelson Mandela in die tronk aan die lewe bly. Daar is vermoed dat ANC lede hom wou vergiftig omdat hy in hul pad gestaan het, het die WVK gister gehoor.

Inhoud:

- Basson, vorige projekoffisier van die land se chemiese en biologiese program, het op die WVK se laaste sittingsdag getuig oor die beweerde komplot van ANC lede. Hy het ontken dat die veiligheidsmagte Mandela in die tronk wou vergiftig.
- Nadat Basson die vorige twee dae geweier het om te getuig omdat adv. Jaap Cilliers, sy regsverteenvoerder, nie teenwoordig kon wees nie, het hy gister in 'n marathonsessie tot 8 nm. vroeë beantwoord. Hy het die laaste twee uur sonder regsverteenvoerdiging getuig omdat Cilliers na Pretoria teruggekeer het weens ander werkverpligtinge. Twee aansoeke gister om die sitting met geslote deure te hou, is van die hand gewys.
- Oor die vrese dat Mandela vergiftig sou word, het Basson getuig dat genl. Magnus Malan, destyds Minister van Verdediging, hom gevra het om die moontlike aanslag op Mandela se lewe te verhoed. Malan het hom in 1986 of 1987 ontbied en 'n verslag van Militêre Inligting met hom en die hoof van staf: inligting bespreek. Luidens die verslag is ANC lede by 'n wapenopslagplek betrap met basiese gifstowwe. “Daar was goed wat toordokters gebruik om mense te vergiftig. Ek het twee dae in die hospitaal beland omdat ek daaraan blootgestel is. Ons het dadelik planne gemaak om te keer dat hy die teiken word van magte wat die land wil destabiliseer. Ons het toe al besef hy gaan die land oorneem. Dat Mandela vandag leef, is aan daardie politici te danke,” het Basson gesê.
- Volgens Basson het hy op “klassieke militêre manier” 'n “blou mag” en 'n “rooi mag” saamgestel; die rooi mag om vas te stel hoe Mandela moontlik doodgemaak kan word, en die blou mag om te ondersoek hoe dit voorkom kan word.
- Volgens Basson het hy in 1981 in die VSA bewus geword van die Amerikaners en Europeërs se kommer oor die opbou van chemiese en biologiese wapens in Oos-Europa. Hy het mense reguit gevra vir inligting. “Ek het nie my tyd gemors met omslagtige agentwerwing nie,” het hy gesê op 'n vraag hoe hy inligting in die buiteland bekom het. Hy het gesê betrekkinge met die Weste was goed en baie inligting is uitgeruil.
- Basson het 'n string bewerings teen hom kategorieë ontken. “Ek was by g'n moordplan betrokke nie.” Hy het ontken dat gifstowwe deur weermagfrontmaatskappye vervaardig is om mense dood te maak. Volgens hom was die stowwe, wat in onder meer sjokolade, drank, suiker en sigarette geplaas is, slegs vir navorsing en vir opleiding van Suid-Afrikaanse agente sodat hulle nie vergiftig word nie. Hy het ontken dat hy iets weet van die fetus wat in die jare tagtig by dr.

Desmond Tutu se huis gekry is. Hy het gesê bobbejaanfetusse is soms in navorsing gebruik, maar “so iets sou hom (Tutu) net meer halsstarrig teen die regime gemaak het”. Basson het bewerings oor pogings om swart vroue onvrugbaar te maak as “absurd” verwerp, asook dat hy dwelms versprei het om die swart jeug te verslaaf. Die dwelms waaroor hy beskik het, was min vergeleke met die wat buitendien deur die jeug verbruik is, het hy gesê.

- Oor bande met die BSB het hy gesê hy het by geleentheid mediese steun aan die organisasie verleen. Hy het ontken dat hy weet van die bestaan of ooit lid was van “die binnekring” of van 'n derde mag.
- Oor die moord op mnr. Alan Kidger het hy gesê hy kan nie glo dat iemand vermoor is omdat hy kwikoksied gehad het nie. Hy het bewerings dat cholerabakterieë versprei is, met verontwaardiging verwerp. “Nie een geval van cholera is die afgelope twintig jaar in Namibië of Angola aangemeld nie. Dit is nie moontlik om massa-sterftes, selfs enkele sterftes, met cholera teweeg te bring nie.”

3 Augustus 1998

Bladsy 4

Verslaggewer: Jannie Ferreira

Opskrif: Steyn verslag nie papier werd waarop dit geskryf is - Basson

Inleiding: Dr. Wouter Basson het met minagting verwys na die Steyn verslag op aanbeveling waarvan hy einde 1992 deur oudpres. F.W. de Klerk gevra is om die Weermag te verlaat.

Inhoud:

- Basson was een van sowat 23 senior weermagoffisiere wat ná 'n ondersoek van lt.-genl. Pierre Steyn na Militêre Inligting deur De Klerk ontslaan is. Basson is sedert einde Maart 1993 op pensioen. “Ek minag daardie verslag. Dit is nie die papier werd waarop dit geskryf is nie. Tagtig persent van die aantygings het van die wa geval. Dit is een van die swakste verslae wat ek in my lewe gesien het,” het Basson gesê.

- Oor sy verskyning voor die WVK en sy hangende strafsak het die 48-jarige hartspesialis aan Die Burger gesê: “Ek weet nie of ek dit gaan oorleef nie.”

Hy het in sy getuienis ontken dat hy oudpres. P.W. Botha se lyfarts was, maar gesê hy was toevallig in Kaapstad met Botha se beroerte in 1989. “Die geneesheer-generaal

het versoek dat ek na hom omsien. Ek het opgemerk dat dit 'n ernstige beroerte was. 'n Halfuur nadat sy (Botha se) private sekretaris ingelig is, is ek deur 'n senior weermagoffisier in Kaapstad ingelig dat my dienste nie meer benodig word nie.”

- Basson het meestal in Afrikaans getuig.
- Basson het in sy getuienis verskeie kere om verskoning gevra wanneer hy lede van die paneel of die vraesteller, mnr. Hanif Vally, ontstel het met kwinkslae.
- Op die vraag oor die skroewedraaiers en die sambrele wat in moordwapens verander is, het Basson gesê hy is nie bewus van een intelligensiediens ter wêreld wat nie sulke wapens het nie. Hy was nie beïndruk met die gehalte van die skroewedraaiers wat in die WVK se besit gekom het nie. “Party van daardie goed is vreeslik lomp. Baie is so groot, jy kan 'n bees daarmee doodsteek!” het hy tot vermaak van verskeie mense gesê.
- Oor die bewering dat hy swart vroue wou onvrugbaar maak: “Die enigste manier sou wees om hulle in te spuit. Dit sal maar neuk om 'n miljoen mense te kry om in 'n ry te kom staan.”
- Wou hy swart mense aan dwelms verslaaf? “Dis nie nodig nie. Soos dit in die land aangaan, doen mense dit uit vrye wil. Gaan stap maar net vanaand hier buite in die straat en kyk hoe mense dit uit vrye wil doen.”
- Basson het gesê frontmaatskappye word oral in die wêreld gebruik. “Ek het eers gaan kyk wat die res van die wêreld doen. Dit is hoekom ons dit ook begin doen het.”
- Onder 'n string bewerings teen hom wat Basson ontken het, was: Chemiese gifstowwe is in sjokolade, deodorant, bier en sigarette as moordwapens gebruik. Dit is vir opleidingsdoeleindes en vir laboratoriumtoetse in die hoofkwartier van Speciale Magte gebruik. Operateurs is byvoorbeeld geleer om nie 'n sjokolade op die kussing van 'n hotelkamerbed goedsmoeds te eet nie.
- Oor bewerings dat hy geld in die buiteland wanbestee het: Alle geld wat hy in die buiteland wou bestee, moes eers behoorlik deur die Reserwebank goedgekeur word. Daar was wel enkele uitsonderings, waar vinnig opgetree moes word met sekere operasies.
- Dat cholera as bakteriologiese moordwapen aangewend is: Die bron van alle cholera kan deur die Regering nagespoor word. Dit is 'n aanmeldbare siekte, wat fyn dopgehou word deur die Wêreld-Gesondheidsorganisasie.

- Dat Mandrax en ander dwelmmiddels op straat verkwansel is: “Ons het metakaloon en ander bestanddele van Mandrax in eksperimente gebruik, maar nooit Mandrax self vervaardig nie,” het Basson getuig.

5.2 Gesprekke met joernaliste

5.2.1 PIERRE STEYN

5.2.1.1 WVK

Pierre Steyn, nuusredakteur van Die Burger ten tyde van die WVK se sitting oor CBO en tans Naspers verslaggewer in Washington, sê hy voel “baie ambivalent” oor die WVK.

“Dit het ongelooflik baie kopie opgelewer. Daar is bitter min dinge in die geskiedenis wat nuusgewys kan kers vashou by die drie of vier jaar wat die WVK-proses aan die gang was. Ek het self WVK-verslaggewing gedoen vir 'n ruk. Dit was 'n ongelooflik intense ervaring.

“Maar daar is baie dinge wat ek dink verkeerd aangepak is. Die groot probleem met die WVK het reg aan die begin met die samestelling ingesluit. Ek dink vir die WVK om ten volle te kon gewerk het, moes alle groepe in Suid-Afrika gevoel het hulle word verteenwoordig en dat hulle eienaarskap van die WVK het. En ek dink nie dit was die geval nie.”

Wat Steyn onder meer gepla het, is dat die WVK 'n “oop forum” was waar mense getuienis kon voorlê sonder dat dit enigsins getoets is. En daardie inligting is die wêreld ingestuur. “Enigeen kon op die verhoog gaan staan en enigiets sê, al was dit lasterlik. Die getuienis is nooit getoets soos in 'n hof nie.”

Steyn voel sekere groepe is uitgesluit, by name “die Afrikaanse mense”. Namate die WVK proses aangegaan het, het “die Afrikaanse mense” hulle dan ook al meer gedistansieer van die WVK, meen Steyn, en gee twee redes daarvoor. Eerstens het hulle nie ordentlik verteenwoordig gevoel nie en tweedens het hulle gevoel hulle is

die teiken van die WVK. Hulle is die skuld gegee vir die pyn en lyding van die verlede.

“Die WVK moes ewewigtig saamgestel gewees het. Die samestelling was glad nie verteenwoordigend nie. 'n Eweredige samestelling waarin alle groepe verteenwoordig is, bv. ook mense wat die destydse veiligheidsmagte en die IVP verteenwoordig, sou veel beter resultate opgelewer het. Met feitlik almal uit 'n struggle-agtergrond maak dit amper nie saak hoe objektief hulle probeer dink het nie. Ons almal het maar 'n subjektiewe agtergrond wat ons beïnvloed.”

5.2.1.2 DESMOND TUTU

Oor Tutu se rol, veral as versoener, sê Steyn: “Ek weet nie of Tutu altyd sy medekommissarisse met hom saamgeneem het met sy versoenende uitsprake nie. Al die interne spanning tussen kommissarisse het tog later uitgekom.”

5.2.1.3 BERIGGEWING OOR WVK IN DIE BURGER

Wat die dekking van WVK-gebeure betref, sê Steyn Die Burger se benadering was om die WVK “as nuusgebeurtenis te dek” met “straight down the line” verslaggewing.

“Die idee was om die storie as nuusgebeurtenis te probeer vasvang sonder om in beriggewing emosioneel daaroor te raak - maak nie saak watter kant toe nie, met ander woorde as 'n Burger-leser die WVK berigte gevolg het, moet hy ingelig wees oor wat daar gebeur het.

“Die idee was ook dat daar nie kommentaar in berigte is nie, met ander woorde feitelik akkurate beriggewing.”

Steyn dink Die Burger het daarin geslaag. “As jy die rekords gaan naslaan oor die verloop van die WVK, gaan Die Burger jou 'n baie goeie rekord gee. As nuusgebeurtenis het ons dit so volledig moontlik gedek. Waar moontlik het ons

verslaggewers en fotografe beskikbaar gemaak en gestuur. Ons het nooit die WVK geïgnoreer nie. Stories is dikwels op die voorblad of bladsy twee of drie gedra.”

Sirkulasiegewys meen Steyn nie die WVK het 'n beduidende invloed gehad nie. “Dit is maar soos enige sterk nuus storie - 'n sterk storie verkoop 'n koerant.”

As voorbeelde noem hy die wye dekking wat verleen is aan oudpres. P.W. Botha “se hele gedoente” met die WVK, die St. James kerk-slagting en toe die betrokke aanvallers amnestie gekry het en die speurder Jeff Benzien se verskyning voor die WVK.

Steyn voel die WVK was nooit 'n verskriklike hupstoot vir sirkulasie nie. “Dis maar soos enige sterk nuus storie.”

Hy meen teen die einde van die WVK-proses het mense afgestomp begin raak.

5.2.1.4 DIE WVK SE SITTING OOR CBO

Steyn sê die chemies-biologiese sitting was vir hom “ontsaglik interessant”. In daardie opsig het die WVK “natuurlik sy voordele gehad deurdat dit mense insae gegee het in die vergrype van die apartheidsdae”.

Hy wil nie nou 'n uitspraak oor Wouter Basson lewer nie, buiten om te sê hy vind hom 'n “ontsaglik interessante nuusverskynsel en dat dit interessant gaan wees om te sien wat uiteindelik gaan gebeur” met verwysing na die huidige hofsak in Pretoria waarin Basson in die beskuldigdebank is.

Steyn sê hy kan nie die fyner besonderhede van die WVK se chemies-biologiese sitting onthou nie, maar sou dit nie anders hanteer het nie. Hy kan hom nie herinner dat daar vir die duur van die sitting enige ontevredenheid oor dekking was nie.

“Ons het dit hanteer nes ons nou die bomme wat hier in Kaapstad ontplof, gedek het,” met verwysing na die bomontploffings in plekke soos Kampsbaai en Groenpunt in Desember 1999.

5.2.2 STEFANIE HEFER

5.2.2.1 AGTERGROND

Stefanie Hefer, tans uitvoerende inhoudshoof van M-Web Studios, was Die Burger se nagnuusredakteur vir net oor 'n jaar tot einde Junie 1998. Voor dit was sy vir sowat drie jaar hoofsubredakteur.

“Ek was een van 'n groep - aanvanklik 150, hoewel dit later aangegroei het tot nader aan 200 as ek reg onthou - Naspers joernaliste wat ten sterkste beswaar gemaak het teen 'n bestuursbesluit dat Naspers nie by die WVK verskoning sou vra vir enige nuusdekking in sy verlede nie.

“Die beswaarmakers het 'n onafhanklike verskoningsbrief onderteken en aan die WVK gestuur, tot groot ontsteltenis van die topbestuur. Hoewel nie openlik of formeel teen my of enige van my kollegas gediskrimineer is nie, het ek min twyfel dat my standpunt oor hierdie en ander nuusdekkingskwessies my politiek verdag gemaak het in die oë van Die Burger se bestuur - en gevolglik my daaglikse uitvoer van my taak en my loopbaanvordering gestrem het.

“Ander middel- en seniorvlak ondertekenaars van die gewraakte WVK dokument het dieselfde ervaring gehad. Blote toeval dat party van ons van werk verwissel het? Wie sal ooit weet?

“Selfs die vul van die pos as WVK-verslaggewer was ná die bedanking van die eerste WVK-verslaggewer, Betsie Kilian, in taamlike omstredenheid gehul. Die redakteur het oënskynlik sy keuses gedoen ten gunste van bekwame, maar ‘veilige’ verslaggewers.”

5.2.2.2 WVK-DEKKING IN DIE BURGER

'n Verhoor-scenario soos die WVK, met min fisieke bewysstukke, leen hom nie tot dramatiese grafiese en foto-dekking nie, wat sou kon verklaar

waarom die beriggewing relatief selde vergesel is van foto's. Die Burger se fotografe het egter interessant genoeg - op eie stoom - meestal uit hul pad gegaan om aangrypende en stilisties uitstekende atmosfeerfoto's terug te bring, wat geleidelik tot voortdurende argumente oor die gebruikswaarde daarvan in die koerant, sê Hefer.

Die fotografe, uitleg- en subredakteurs was meestal sterk ten gunste van die goeie gebruik van hierdie atmosfeerfoto's, terwyl "die hoofredaksie" nie altyd die meriete van sulke "plekvermorsing" wou insien nie.

"Soos die hele kwessie rondom die WVK, die legitimiteit daarvan en die dekking wat dit moes kry, was daar 'n duidelike verdeeldheid tussen die hoofredaksie/redakteur en die span wat die dekking moes doen en in die koerant plaas.

Volgens Hefer is berigte wat gebruik is, bogemiddeld lank gebruik - meer sentimeter is per storie toegelaat as wat die gemiddelde nuusberig was.

"En die berigte wat wel gebruik is, was sterk en meestal uiters boeiende leesstof. Die anderkant van die saak is die voortdurende gekibbel oor die gebruik van foto's - en hul grootte - en die hoeveelheid inligting/aantal stories uit die WVK wat nooit gebruik is nie. Die besluit oor of spesifieke getuienis aangebied of in die koerant gebruik gaan word, het by die hoofredaksie berus, wat as 'n bestuursplan reeds 'n politieke standpunt teenoor die WVK ingeneem het. Dit was dus maklik om eenvoudig nie plek te kry vir meer as een of twee berigte per dag nie.

"Dit sal nooit moontlik wees om te peil in hoe 'n mate diepliggende rassisme die besluitneming oor gebruik en lengte van berigte oor getuienis voor die WVK beïnvloed het nie. Feit is wel dat die oorgrote meerderheid van die getuienis oor lyding deur swart Suid-Afrikaners gelewer is. En Die Burger of van sy hoofredaksie - het telkens al die gebrekkige gebruik van 'swart' stories regverdig aan die hand van sy oorwegend wit en bruin lesersprofiel.

"Ek wil egter na my verdere deurgaang van die fisieke beriggewing oor die WVK in Die Burger bevestig dat die nuusdekking sterk was," aldus Hefer.

“Die kommentaar op die WVK in hoofartikels, forums, Dawie's en spotprente was vir my - en duidelik ook vir ander, onder meer in die briewekolom - ooglopend. Op 4 Julie kritiseer adv. Martin Coetzee van die WVK juis hierdie diskrepanse. Hy beveel na aanleiding van 'n erg kritiese hoofartikel in die vorige dag se Burger aan dat die redakteur die “feitelik korrekte” berigte op vroeëre blaaie van Die Burger raadpleeg en sy redaksionele kommentaar daarop skoei.

“Die verslaggewers en fotografe wat die dekking moes doen, het by geleentheid lang gesprekke met my - as nagmaasredakteur - gevoer oor hoe die volgehoue felle redaksionele aanvalle op die WVK hulle persoonlik onder geweldige druk by die sittings geplaas het. Hulle is verantwoordelik gehou vir politieke standpunte en aantygings teen die WVK wat hulle baie ongewild gemaak het en 'n taamlike impak op 'n meer holistiese, omvattende dekking van die poging tot versoening gehad het.

“Waar my benadering dramaties verskil van die koers wat Die Burger se redaksionele kommentaar ingeslaan het, is dat Die Burger se onwrikbaar venynige en gereeld historiese ideologiese aanvalle op die WVK as instrument van versoening die pyn van gewone mense - wat sonder twyfel by die honderde en selfs duisende gruweldade deurleef en oorleef het - op die oog af misken het.

“Of dit bedoel was of nie, die gemiddelde leser van Die Burger ten tyde van die WVK se lewensloop, sou maklik die persepsie kon vorm dat Die Burger namens sy wit en bruin lesers weier om hand in eie boesem te steek en versoening in die hand te werk. Ek het nie gevoel die redelike mens sou onderskei tussen Die Burger se aanval op die prosedure wat gevolg word versus die reële pyn, verlies en smart wat soveel - oorwegend swart - Suid-Afrikaners gely het nie.

“Die persepsie het wat my betref beslis ontstaan dat Die Burger die legitimiteit van mense se lyding bevraagteken deur sy afbreek van absoluut alles wat die WVK probeer doen het. Te gereeld was die strekking van redaksionele kommentaar in die lyn van: ‘Ons moes so 'n WVK gespaar gebly het’, of, ‘die koers van ekskuis het Suid-Afrika met mening gepak’, ‘die WVK het erger gepolariseer as wat dit versoen het’, ens. Was dit die WVK wat die polarisering veroorsaak het, of die redaksionele

klemkeuses en kommentaar op wat uit die proses voortgespruit het wat die werklike polarisering meegebring het?”

Hefer verwys na 'n forum van Ingo Capraro op 2 Julie 1998 waarin Van Zyl Slabbert se standpunt as volg gestel word: “Die WVK het blankes gedaag om oor die verlede standpunt in te neem. Sommige begroet die uitdaging met kollektiewe geheueverlies.”

“Ek dink Die Burger het 'n gulde geleentheid tot 'n konstruktiewe bydrae tot versoening verspeel, nie omdat die kritiek wat hy gehad het teen die WVK ongegrond was nie, maar weens die arrogante en persoonlike trant van die kritiek wat gevaarlik naby aan openlike politiekery en rassisme gekom het.

“Die feit dat 'n klein groepie politieke besluitnemers oor so 'n deurslaggewende en bepalende saak namens hele koerantredaksies 'n standpunt inneem - sonder om dit hoegenaamd oop te gooi vir interne debatvoering - het my diep bekommer. Ek dink ons sou almal kon groei in die proses as ons die geleentheid benut het om ons eie huis skoon te kry voor ons die WVK se pogings aggressief van die tafel gevee het.”

5.2.2.3 GRYS GEBIED

“Dis vir my opvallend dat die sitting oor chemiese en biologiese oorlogvoering - wit getuies wat oor hoofsaaklik wit mans se sameswerings veral hier maar ook regoor die wêreld getuig - so gereeld die voorblad gehaal het.

“En natuurlik enige gru-getuienis uit die ANC straffkampe - swart op swart. Asof dit meer interessant en legitiem en skokkend is as die oorweldigende oormaat bewerings van wit-op-swart-gruweldade wat voor die WVK uitgekom het? Baie grys gebied, maar ek dink dit sou dom wees om rasse-vooroordeel in die besluitneming rondom nuusdekking van die WVK-verrigtinge summier uit te skakel,” sê Hefer.

5.2.2.4 WVK

Dat daar 'n proses - en dan 'n liggaam wat dit stuur - van “genesing, beantwoording van onopgeloste raaisels rondom sterftes en tereurdade en uiteindelijke berusting en

versoening” nodig was ná die “politieke mallemeule” waardeur ons land vir dekades was, betwyfel Hefer nie.

“Doodgewone mense aan al die kante van die politieke draad het ongelooflike pyn en verlies ervaar en het nodig gehad om dit te deel, selfs antwoorde te kry op waar hul geliefdes is of hoekom terreurdade uitgevoer is, ens. Hiervoor was die WVK in 'n mate 'n geskikte forum. Eenvoudige mense kon hul tragiese verhale en verwardheid oor dinge wat met hulle gebeur het, met die wêreld deel. Hulle kon antwoorde kry by mense wat opdrag gegee het dat dae van terreur teen hulle uitgevoer word, hulle kon die kans kry om te verstaan en te vergewe.

“Die lompheid waarmee die WVK egter op soveel terreine weggespring het, strukturele onduidelikhede - soos die omvang van die WVK se kwytskeldingsmagte, ens. - en die foute wat deur ampsdraers van die WVK gemaak is, het die liggaam ongelukkig wel oopgelaat vir kritiek.”

5.2.2.5 WVK-LEIERSKAP

“Ek het ernstige vraagtekens oor watter soort persoonlikheid geskik sou gewees het om die proses te lei - en of daar inderdaad so 'n supermens sou kon wees. Beide Tutu en Boraime was myns insiens te politiek betrokke by die struggle om vir die hele spektrum van deelnemers aan die versoeningsproses aanvaarbaar te wees. Die dryfkrag agter die proses moes dalk eerder 'n meer objektiewe buitestaander - selfs buiteland - gewees het, iemand met meer prosedurele, administratiewe en bestuurservaring, en bowenal iemand wat so min moontlik emosionele uitlatings gemaak het.”

5.2.2.6 WOUTER BASSON

“Ek betwyfel nie dat hy 'n hoogs intelligente persoon is nie, maar ek dink hy is by soveel belangrike strategiese besluite betrek en sulke vrye teuels gegee dat hy verstrengel geraak het in sy eie magspel. Hy was heeltemal uit sy diepte uit wat besluitnemingsregte betref - as jy so 'n intelligente mens soveel ruimte gee in 'n

ongedefinieerde politieke oorlog, kan dit mos nie anders as om heeltemal handuit te ruk nie.”

5.2.2.7 MEDIA-DEKKING

Dit was inderdaad nie 'n maklike proses om visueel uit te beeld nie, sê Hefer. Die internet sou in 'n mate 'n oplossing kon bied met heeltydse lewendige dekking waarop mense enige tyd kon inskakel, maar die sittings was voor die koms daarvan in Suid-Afrika. Geredigeerde opsommings van getuienis op televisie was wel baie treffend - waarskynlik meer as die gepubliseerde weergawes - bloot omdat dit so emosioneel was om te aanskou.

Waar die koerante veel meer kon gedoen het, spesifiek Die Burger, is om meer “human interest”-stories in opvolgberigte aan te pak oor mense wat voor die WVK getuig het van afskuwelik en ingrypende gebeure in hul lewe.

“Ek glo vas dat die versoeningsideaal van die WVK beter gedien sou kon word as 'n breër groep lesers blootgestel was aan wat presies deur 'n ouer se hart en gemoed gegaan het as hul kinders of broodwinners verdwyn het of vermoor is, hoe dit iemand se lewe verander as hy vergif of agtervolg of jare lank geïntimideer word, watter uitdagings 'n kind moet oorleef as een of albei ouers verdwyn bloot omdat hulle 'n spesifieke politieke standpunt handhaaf, ens.

“As versoening tussen ‘gewone’ wit en swart burgers van hierdie land werklik Die Burger se erns was, kon die koerant soveel verder gegaan het. Maar daarvoor het die verslagspan die sanksie van die politieke besluitnemers nodig gehad, en hulle het dit blykbaar nie gekry nie. Of te selde. Die wit en bruin lyers het kans gekry om te praat oor ANC/PAC/Apla gruwel-ingrype op hul lewens. Te min swart mense het in die Afrikaanse pers kans gekry om hul smart te deel,” sê Hefer.

5.2.3 LEOPOLD SCHOLTZ

5.2.3.1 WVK

Volgens dr. Leopold Scholtz, waarnemende redakteur van Die Burger, het hy nie beswaar teen die WVK-prosesse “as sodanig” nie.

“Daar het werklik baie dinge gebeur wat eties en moreel heeltemal onaanvaarbaar was. Duitsland het ná die Tweede Wêreldoorlog ook deur 'n proses gegaan om met die verlede af te reken. En ons moes deur 'n soortgelyke proses gaan. Daaroor is daar min twyfel in my gemoed. Die verwerking van die verlede was wel deeglik noodsaaklik gewees.

“Ek het wel beswaar teen die spesifieke wyse waarop dit gebeur het. Om dit in 'n enkele sin op te som: die proses was nie ewewigtig nie. Die punt is, daar is twee paradigmas om hierdie saak te benader. Die een is gehanteer deur sowel die WVK as die ANC - die paradigma van die goeie mense teen die slegte mense. Goed teen kwaad, van die magte van die lig teen die magte van die duisternis. Ofskoon daar erkenning was dat die ANC ook foute begaan het, was hy basies die goeie ou.

“Die ander paradigma is die van 'n Griekse tragedie. Soos Constand Viljoen dit gestel het: ons het almal maar 'n donker kant gehad. Dit is waar dat die vorige regering se stryd nie op 'n hoë morele vlak was nie. Maar die ANC is oorheers deur lede van die SA Kommunistiese Party, wat gevolglik nie vir 'n liberale veelpartydemokrasie geveg het nie, maar vir 'n Stalinistiese eenpartydiktatuur. Met ander woorde hul moraliteit is ook nie baie hoog nie. Dit is my beswaar,” sê Scholtz.

Hy twyfel nie vir 'n oomblik dat die WVK versoening in Suid-Afrika beduiwel het deur sy onewewigtigheid nie.

Op 'n vraag of die ANC se hofgeding met die WVK kort voor die uitreiking van die finale verslag nie sy mening verander het nie, sê Scholtz die hofgeding het oor “nuanseverskille” gegaan en nie “prinsipiële” verskille nie.

Hy voel die WVK moes meer ewewigtig gewees het. Die immoraliteit van sowel die apartheidsregering as die ANC moes aan die kaak gestel word. “Dit is die korrekte

paradigma. Dat een se moraliteit nie hoër as die ander s'n gestel word nie. Dit sou 'n baie onpartydige benadering gewees het en versoening bevorder het.

“As jy jou verlede wil verwerk, moet jy jou hele verlede verwerk en nie selektief te werk gaan nie. Selektiewe amnesie doen meer kwaad as goed.”

Oor die voordele van die WVK voel Scholtz die feit dat die waarheid oor sekere mense wat verdwyn het, aan die lig gekom het, het nut vir hul naasbestaandes. So ook die feit dat mense wat kon, gaan getuig het oor wat hulle aangedoen is. “Hulle kon as 't ware bors skoonmaak, maar in geheel het dit versoening beduiwel.”

Scholtz sê ook die samestelling van die WVK was oorweldigend ten gunste van mense van die gewese struggle, terwyl die gewese establishment maar “baie eina” verteenwoordig is.

“Dit is waar sake begin skeefloop het. Met so 'n skewe verteenwoordiging kon jy nie 'n ewewigtige verslag verwag nie. Dit het ontaard in 'n politieke wapen van die ANC teen die Nasionale Party.”

5.2.3.2 WVK-LEIERSKAP

Wat individue in die WVK betref is Scholtz van mening dat Desmond Tutu se “simpatie met die ANC strykdeur geblyk het”. Daar was wel “nuanseverskille”, maar nooit “prinsipiële” verskille nie.

“Alex Boraine (visevoorsitter) presies dieselfde. Dumisa Ntsebeza presies dieselfde.”

Scholtz is daarop gewys dat Ntsebeza uit 'n PAC/Apla-agtergrond kom, waarop hy geantwoord het dat dit bevestig dat Ntsebeza se sentimente eerder by die struggle lê.

Scholtz beskou Neurenberg-verhore net as 'n opsie in 'n situasie waar een totaal deur 'n ander oorwin is. Die WVK was 'n sinvolle kompromis.

5.2.3.3 ONDERHANDELINGS

Op 'n vraag oor die vorige regering (voor 1994) se onderhandelaars met betrekking tot die WVK-samestelling, het Scholtz gesê hy sou graag wou sien dat die NP-onderhandelaars beter waarborge oor die samestelling gekry het. Hy noem ook dat oud-minister Kobie Coetzee (gewese minister van justisie) algemene amnestie kon gekry het, maar dit nie deurgevoer het nie.

5.2.3.4 WVK-DEKKING IN DIE BURGER

Scholtz voel Die Burger se dekking van die WVK en spesifiek die sitting oor CBO was “uitstekend - van die beste van alle koerante, volledig, omvattend oor alles wat gebeur het”.

5.2.3.5 KOMMENTAAR OP WVK IN DIE BURGER

Ook oor Die Burger se redaksionele kommentaar (hoofartikels, spotprente en politieke rubrieke van Dawie en Vryburger) voel Scholtz “baie tevrede”.

“Ons was baie krities. Dit is deel van ons burgerlike samelewing binne die raamwerk van die liberale veelpartydemokrasie. Dit is nie net ons reg nie, maar ook ons plig om krities teenoor die WVK te staan.”

5.2.3.6 WOUTER BASSON

Oor Wouter Basson sê Scholtz: “Hy is een van die mense wat my skaam maak oor my steun vir die vorige regering. Daar hang 'n reuse-vraagteken oor iemand wat met al daardie planne vorendag gekom het, ofskoon bitter min van dit ooit uitgevoer is. Selfs al neem jy in ag dat daar 'n oorlog aan die gang was - en 'n oorlog waarin moraliteit aan albei kante laag was.

“En selfs al neem jy in ag dat oorlog morele afstomping teweeg bring, dan voel ek steeds Basson verteenwoordig die slegste van wat aan regeringskant gebeur het.”

6. Gevolgtrekking

Ek het my saak met die Grootbaas uitgemaak. Wat jy doen, is jou saak.

Dr. Wouter Basson

Suid-Afrika se WVK is en sal vir 'n lang tyd nog een van die mees veelbesproke statutêre instansies wees wat hierdie land gesien het. Prof. Charles Villa-Vicencio, hoof van die WVK se navorsingafdeling en die man wat in beheer was van die verslagskryfproses, het einde 1999 op 'n nabetragtingskonferensie verwys na al die fel kritiek op die WVK. Hy het vertel van 'n geleerde wat gevra is oor sy siening van die Franse Revolusie, eeue gelede, en toe geantwoord het dis nog te gou om 'n mening daaroor uit te spreek. Villa-Vicencio het bygevoeg dat daar oor 50 jaar met groter selfvertroue 'n akkurater oordeel oor Suid-Afrika se WVK uitgespreek sal kan word.

Uit 'n ontleding van die beriggewing van die WVK-sitting oor CBO en daaropvolgende gesprekke met nege joernaliste by drie Kaapstadse dagblaaie, blyk dit dat 'n veelvoud faktore hekwagterskap beïnvloed het – beskikbare koerantruimte, tyd tot verslaggewers se beskikking om berigte voor spertyd te lewer, lesersbehoefte, asook lesersweerstand oor sekere onderwerpe. En dan is daar die meer sekondêre invloed op hekwagterskap van hoofredaksielede se beskouing van die nut al dan nie van die WVK.

Enigeen wat die beriggewing in Kaapstad se drie dagblaaie oor die WVK se sitting oor CBO gelees het, sou ongetwyfeld baie deeglik op hoogte gekom het van wat daar getuig is en gebeur het. Deur selfs net een van die drie koerante wat by hierdie studie betrek is, te gelees het, sou 'n besonder goeie prentjie van die verrigtinge verskaf het. Maar, feit is, dit bly 'n seleksie van die sterkste nuusgebeure. Enige joernalis of navorser wat 'n drang het om ondersoekende berigte of boeke oor hierdie onderwerp te skryf, sal beswaarlik uitgeskryf raak as hy die transkripsies begin deurwerk. Dit is 'n goudmyn van baie onontginde inligting. Elke naam, byvoorbeeld, wat opduik, en daar is talle, kan 'n string opvolgstories en eindelose nuwe vertakkinge oplewer.

Name wat net in die transkripsie (sien bylaes agter) oor dr. Jan Lourens se getuienis voorkom, is die van (naamspellings soos in transkripsies) drs. James Davies, Brian Davies, Gerrie Rahl, Willie Basson, Riana Borman, André Immelman en mnre. Johnny Koertzen, Bernard Zimmer, Charles van Remoortere, Ters Ehlers, Joe Verster, Danie Wahl, Phil Morgan, Bart Hetima, Ben van den Berg, Roelf Meyer, Kobus Bekker, Barry Pithy, André Redelinghuys, ene Trevor ('n geheime agent), en “Shloogie” ('n Siriese wapenhandelaar).

Hekwagterskap was dus nie 'n opsie nie, maar 'n noodsaaklikheid.

Dr. Jan Lourens se (toevallige?) ontmoeting van dr. Wouter Basson op 'n trein in Engeland nadat hy 'n giftoestel aan 'n geheime agent besorg het, het 'n gesprek oor die etiek van die program oor CBO tot gevolg gehad, luidens Lourens se getuienis. Basson sê dan in 'n stadium: “Ek het my saak met die Grootbaas uitgemaak. Wat jy doen, is jou saak.” Dit onthul straks heelwat van Basson, as sentrale figuur in hierdie drama, se benadering tot sy werk en kollegas, selfs lewensfilosofie, en godsdienstige ingesteldheid.

Hoewel hierdie betrokke stukkie getuienis van Lourens se interaksie op die trein met Basson met die snyproses by Die Burger uitgeval het, is dit later ten tyde van die CBO-sitting in 'n ondersoekende artikel oor Basson (deur hierdie student) wel in Die Burger gepubliseer.

In hierdie studie is wye meningsverskil aangetref tussen die nege joernaliste van drie Kaapstadse dagblaaie wat hierby betrek is, ten opsigte van algemeen-holistiese gevoelens oor die WVK, beoordeling van dekking en individue soos Basson en dr. Desmond Tutu ('n man wat reeds met oor die dertig eredoktorsgrade wêreldwyd vereer is). Sover dit die beriggewing aangaan, is weer merkwaardige ooreenkomste tussen die drie koerante waargeneem. Dit blyk uit die gesprekke dat al drie koerante as dit by verslag doen kom, vertroue in sy verslaggewers gestel het en grootliks gehou het by die kopie wat gelewer is. Verskeie voorbeelde van getuienis waaroor nie verslag gedoen is, kan wel uitgewys word. Met al die ruimte- en tydsbeperkinge is egter van verslaggewers verwag om op die sterkste nuuspunte aan die hand van die getuienis te konsentreer.

Die Burger het bv. nie in beriggewing oor dr. Jan Lourens se getuienis oor die James Bond-toestelle (bv. sambrele wat gifballetjies uitskiet) genoem dat genl. Kat Liebenberg dit “my speelgoed” genoem het nie. Ook nie dat Lourens sy groeiende gewetenswroeging oor sy betrokkenheid by Projek Coast met die destydse minister van verdediging, mnr. Roelf Meyer, wou gaan bespreek het nie. En dat Meyer hom nie wou ontvang nie. Hierdie student was toevallig self die verslaggewer en weet dat hierdie inhoude wel aangebied is, asook dat daar besluit is om die verslag oor Lourens se getuienis met foto’s as voorbladhoofberig aan te bied. Daar is ook besluit dit is voldoende en dat nie meer plek in die koerant aan daardie dag se WVK-verrigtinge afgestaan sal word nie en die inligting oor daardie betrokke dag se getuienis in CBO-sitting moes in een berig saamgevat word.

Daar is wel in latere berigte tydens die CBO-sitting hierna verwys, soos toe die WVK aangekondig het dat hy met Meyer in verbinding probeer tree oor die aangeleentheid. Liebenberg se verwysing na sy “speelgoed” het toe wel die koerant gehaal. Die Burger kon weens ruimtebeperkinge nie al die gelewerde beriggewing gebruik nie.

Sowel die Cape Argus as Cape Times het aanvanklik berig oor “Liebenberg se speelgoed” en Meyer se ontwyking van Lourens, maar ook by die twee koerante moes berigte weens ruimtebeperkinge gesny word.

Net die Cape Times het weer berig oor Lourens se getuienis dat oudpres. P.W. Botha se privaatsekretaris, Ters Ehlers, hom kort voor sy (Lourens se) bedanking aan 'n wapenhandelaar uit Sirië voorgestel het. Die moontlikheid is dan genoem dat Suid-Afrika se chemiese en biologiese geheime dalk aan Sirië verkoop is.

Sowel die Cape Argus as die Cape Times het skynbaar ook nie 'n woord gerep oor Basson se bewering dat die WVK hom vrywaring teen vervolging en vestiging onder 'n ander identiteit in die buiteland belowe het in ruil vir inligting nie. Die twee Engelse dagblaaie het ook nie dekking verleen aan lt.-genl. Niel Knobel se onthulling dat oudpres. Nelson Mandela Basson in 1995 met die (verhoogde) rang van genl.-

majoer heraangestel het nadat oudpres. F.W. de Klerk hom in 1993 op pensioen laat plaas het.

Mens sou in die versoeking wees om allerhande ideologiese motiewe hierin te probeer lees (die Cape Argus en Cape Times was en is immers die WVK en die ANC-regering redelik goedgesind, teenoor Die Burger wat meer as 'n opposisiekoerant beskou kan word), maar die feit is dat die WVK se sitting oor CBO 'n stortvloed baie sterk inligting gelever het. Robert Brand, wie se berigte in die Cape Times gepubliseer is, het dan ook aangetoon dat 'n Britse koerant soos The Guardian ses verslaggewers as 't ware daar sou ontplooi het. Een verslaggewer het eenvoudig nie die tyd gehad om as 'n sitting teen vyfuur die middag eindig, al die nuuswaardige inligting voor die spertyd in verteerbare berigte saam te vat nie. En boonop is daar die situasie rondom ruimtebeperkings.

Nog 'n voorbeeld: Die Burger berig op 9 Julie 1998 oor Basson se onderskepping van \$40 miljoen van die Vatikaan wat glo vir wapenaankope in Kroasië bestem was. Knobel het hierdie stuk inligting as “dinamiet” beskryf in 'n gesprek met Die Burger tydens 'n pouse toe hy getuig het. Die Cape Argus en Cape Times het dit nie een in sy berigte gehad nie, “want daar was eenvoudig te veel opsienbarende onthullings om alles in die beperkte ruimte te dek”.

Soos reeds vermeld, die Cape Argus en Cape Times was en is nog baie meer pro-WVK, teenoor Die Burger wat gereeld uiters kritiese en selfs venynige redaksionele kommentaar op die WVK gelever het in hoofartikels, spotprente en rubrieke soos Dawie en Vryburger.

Stefanie Hefer is dan ook hoogs krities oor Die Burger se redaksionele kommentaar op die WVK. Haar bewering dat WVK-verslaggewers “veilige” aanstellings was, staan egter op uiters twyfelagtige bene. As verslaggewer van Die Burger kan hierdie student getuig dat hy die redakteur, Ebbe Dommissie, pas ná sy aanstelling as WVK-verslaggewer in sy kantoor gaan spreek het. Op my eerste vraag, wat van my as WVK-verslaggewer verwag word, het Dommissie geantwoord: “Net ‘straight reporting’. Ons sal op die hoofartikelblad kommentaar lewer.” Ek kan byvoeg dat ek in geen stadium voorgesê is om 'n sekere invalshoek te neem of sekere nuanses in 'n

berig in te werk nie. Ek was inderdaad ook verskeie kere verras dat sekere berigte wel gepubliseer was, teen die agtergrond van die hoofredaksie se hoogs kritiese ingesteldheid teenoor die WVK in Die Burger se redaksionele kommentaar.

Leopold Scholtz, waarnemende redakteur van Die Burger, beaam dié “hoogs kritiese benadering” en vra allermens verskoning daarvoor. “Ons was baie krities. Dit is deel van ons burgerlike samelewing binne die raamwerk van die liberale veelpartydemokrasie. Dit is nie net ons reg nie, maar ook ons plig om krities teenoor die WVK te staan.”

Scholtz voel die WVK was nie ewewigtig in sy samestelling en hantering van die verlede nie. Hierdie “selektiewe” benadering het versoening “net verder beduiwel”.

Hefer is ontevrede met die “gebrekkige gebruik” van foto’s in Die Burger, maar gee toe, nadat sy destyds se koerante nagegaan het, “dat Die Burger sterk dekking op sy nuusblaaie aan WVK-gebeure gegee het”. Pierre Steyn, nuusredakteur van Die Burger in die WVK-tyd, en Scholtz is albei ook baie tevrede met Die Burger se dekking van die CBO-sitting. Scholtz beskryf dit as “uitstekend – van die beste van alle koerante”. Steyn is, in teenstelling met Hefer, ook ewe tevrede met die gebruik van foto’s.

Steyn het, net soos Scholtz, probleme met die “onewewigtige” samestelling van die WVK.

Hieroor kan genoem word dat van die sewentien kommissarisse wat aanvanklik aangestel is, op twee na almal 'n struggle-agtergrond het. Adv. Chris de Jager was 'n lid van die Vryheidsfront, 'n politieke party wat hom vir Afrikaner-selfbeskikking en 'n Afrikaner-Volkstaat beywer, en mnr. Wynand Malan, wat nadat hy as lid van die Nasionale Party bedank het, linkser groeperinge opgesoek het. De Jager het halfpad deur die WVK se wetlik-toegelate termyn as kommissaris bedank, maar as lid van die amnestiekomitee aangebly.

Daar was nie juis 'n kommissaris wat met die Inkatha-Vryheidsparty geassosieer kon word nie – ook nie van die Nasionale Party of NG Kerk (sterk simbole van die vorige establishment) nie, hoewel verskeie prominente NG teoloë as kommissarisse benoem

is, maar nie een aangewys is nie. Malan het 'n onafhanklike verslag van 20 bladsye geskryf wat die WVK in sy finale verslag opgeneem het. Hierin distansieer hy hom in 'n mate van die finale WVK-verslag deur bepaalde nuanseverskille uit te lig.

Adrian Hadland, politieke redakteur van die Cape Argus, en John Yeld, die Cape Argus se WVK-verslaggewer, asook Roger Friedman, nuusredakteur en oud-WVK-verslaggewer van die Cape Times, is almal weer uiters krities teenoor die ANC-regering vir sy huidige hantering (of eerder gebrek aan hantering) van die WVK se taak tot reparasie en rehabilitasie. Die ANC se apatie teenoor die WVK sedert die uitreiking van die finale verslag, hou moontlik verband met die feit dat die ANC ook kwaai onder skoot gekom het weens menseregteskendings in ANC-strafkampe. Yeld beskryf die regering se reaksie as “pateties”, Friedman as 'n “klaaglike mislukking” en “skandelik”.

Hadland wys ook op die nasionale direkteur van vervolging, Bulelani Ngcuka, se “slapelose nagte” oor die groot aantal mense wat deur die WVK in sy finale verslag skuldig bevind is aan growwe menseregteskendings. Wie moet hy nou vervolg? Kan die land se regstelsel dit hanteer? Hoe gaan dit versoening in die land raak?

John Scott, waarnemende redakteur van die Cape Times, en Brand wys op die groot katarsiswaarde wat die WVK gehad het. Sy koerant was deurgaans ook positief oor die WVK. Hy wys egter ook daarop dat lesers “gatvol” (sic) begin raak het - versadig vir “al die slegte nuus” en dat berigte hieroor gevolglik op binneblaaie verskyn het.

Redaksielede by sowel die Cape Times as die Cape Argus wys dan ook op die gatvol-faktor (sic). Benewens Scott het Steven Wrottesley, assistant-redakteur van die Cape Argus, en Hadland, soortgelyke stellings gemaak. Lesers het begin moeg raak vir al die hartseer en smart van die WVK. En ontmagtig gevoel.

Die Cape Argus en Cape Times het dus as 't ware net die “voorbladhekke” meestal toegemaak deur berigte na die binneblaaie te verskuif. Onder meer in belang van sirkulasiesyfers natuurlik! Watter mediabestuurder in hierdie strawwe ekonomiese tye sal ernstige beswaar daarmee hê? Volgens Hadland het die Cape Argus hierdie lesers-weerstand kreatief beantwoord deur ook oplossings vir probleme te probeer aanbied,

want lesers wil nie met 'n gevoel van magteloosheid gelaat word nie. Foto's en grafika is en word tans ook hiervoor ingespan tussen 'n “paar hoogs leesbare” berigte.

Friedman was die een joernalis met wie gesprek gevoer is wat baie sterk gevoel het oor Neurenberg-verhore. Vir hom was die WVK grootliks 'n simboliese oefening ter aanvulling van oudpres. Nelson Mandela se versoeningspogings. Friedman meen 'n paar skuldiges – staatshoofde, politici en operateurs – moes aan relatief vinnige Neurenberg-tipe-verhore onderwerp gewees het. “Die skuldiges, ongeag ouderdom, moes lang tronkstraf opgelê word en Suid-Afrika sou kon aangaan.” Niemand anders het hierdie sentiment gesteun nie.

Hoewel redaksionele kommentaar in die vorm van politieke rubrieke, hoofartikels en spotprente en persoonlike menings van redaksielede 'n wye spektrum van standpunte dek, was daar groot ooreenkomste in die inhoud van die nuusberigte, al het die invalshoeke meermale verskil. Dit sou verwaand wees om te sê een koerant se dekking was beter as die ander. Aksentverskille was daar wel, maar die sterkste nuusinhoud het telkens die koerantblaaie gehaal.

Dit was uiteraard 'n stroom getuienis wat daaglik verwerk en in verteerbare vorm aangebied moes word. Soos genoem, daar kan nog 'n boek geskryf word oor net die getuienis wat nie een van die drie dagblaaie se berigte gehaal het nie. Op sekere dae het inderdaad net die punt van die ysberg die nuusblaaie gehaal, maar die hekwagters het kennelik in gedagte gehou dat lesers net 'n sekere hoeveelheid van hierdie dikwels grilliger onderwerp, CBO, kon absorbeer.

Hadland kan nie Tutu “as stem vir die stemloses” genoeg lof toeswaai nie. So ook Wrottesley en Scott. Friedman meen Tutu “was die enigste Suid-Afrikaner” wat die taak as voorsitter kon uitvoer. Steyn voel Tutu moes kommissarisse meer “met hom saamgeneem het” en verwys na die interne spanning tussen WVK-kommissarisse wat later op die lappe gekom het. Scholtz meen Tutu se “simpatie met die ANC het strykdeur geblyk”. Hefer is die mening toegedaan dat hy te politiek korrek was en dat 'n buitelandse dalk beter sou gevaar het.

Dit blyk nietemin dat hierdie persepsies onder mediabestuurders oor individue soos Tutu en Basson en die nut al dan nie van 'n instansie soos die WVK 'n relatief klein rol gespeel het as dit by verslag doen gekom het in Kaapstad se drie dagblaaie tydens die WVK se CBO. Weinig verslaggewers sal seker betwis dat hy of sy in die agterkop bewis is van wat sy betrokke hoofredaksie op 'n hoofartikelblad oor 'n aangeleentheid soos hierdie skryf, maar dit beteken nie dat dit 'n uitwerking het op sy of haar poging tot objektiwiteit, neutraliteit en billikheid nie.

Nuuswaardigheid en “wat lesers wil hê” was by verre die oorwegende kriteria. Ruimte- (hoeveel plek die koerant het) en tydsbeperkinge (hoeveel tyd die verslaggewer het) is gegewes wat van dag tot dag verskil. Maar, feit is dat, soos tydens die WVK-sitting oor CBO gesien is, “nuuswaardigheid”, “teikenmark” en “lesersbehoefte” nie eksakte begrippe in beton gegiet is nie. Hierdie relatiewe kenmerke maak mediabestuur 'n soveel uitdagender nering.

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Jan Lourens

Foto: Die Burger

BYLAAG A

Transkripsie van dr. Jan Lourens se getuienis op die
Waarheids-en-versoeningskommissie se sitting oor
chemiese en biologiese oorlogvoering in Kaapstad

CHAIRPERSON: Before Mr Lourens testifies, as is customary, we will ask him to be sworn in, and I will ask advocate Denzil Potgieter to administer the oath.

JAN LOURENS: (Duly sworn in, states).

CHAIRPERSON: Thank you, advocate Potgieter. Mr Vally?

EXAMINATION BY MR VALLY

MR VALLY: Thank you, Mr Chair. Mr Lourens will you please tell us what you profession ...(intervention)

CHAIRPERSON: Before you proceed, Mr Vally, I would like to ask the members of the media, whilst we are not curtailing their right to take photographs, it should be done in a way that is not going to be intrusive and make the witness unable to perform the - and I will ask the Media Liaison Officer of the TRC to assist us in this regard. There has been an arrangement for such issues to be dealt with in a way that takes into account the rights of camera persons as well as maintaining the decorum with which these proceedings should be run. I will therefor ask for the co-operation of everybody in this regard. Mr Vally.

MR VALLY: Thank you, Mr Chairperson. Dr Lourens, can you please indicate to us what your profession is and your qualifications?

MR LOURENS: Mr Vally, I am a business man. My qualifications is, I hold a Bachelors degree in Metallurgical Engineering, a Masters degree in Industrial Engineering, and a Doctorate in Biomedical Engineering.

MR VALLY: We haven't asked you whether you have any statement which you want to read into the record before you commence, do you have any statement that you want to read into the record?

MR LOURENS: No, Mr Vally.

MR VALLY: Thank you. Can you tell us what your involvement with Doctor Basson was, from the very beginning?

MR LOURENS: I was a Permanent Force member working in the South African Air Force. I worked in what was then known as One Air Depot. I was the officer commanding of the old Metallurgy and Chemistry Laboratory. During this time I met with an old friend, Dr Philip Mijburgh, who was at that stage based at Special Forces. Philip approach me and asked me if I would be interested in joining Special Forces to work on what was an act of interest of ...(indistinct), the subject field of biomedical engineering. I - the scope of the work at that stage was defined very very widely. It wasn't specific per se

chemical or biological warfare, and it was to assist with some laboratory tests and animal testing, some biomedical assistance, and I agreed. I was transferred from the Air Force to a unit called Special Operations based at Special Forces Headquarters in the old Voortrekkerhoogte, and I subsequently met Dr Wouter Basson, who was then the officer commanding. From there came a long relationship with him, all in the subject fields of primarily chemical warfare, to a much lesser extent that the biological warfare side. I don't know if you want me to move on into a sort of a chronological order of where I was involved in which of the projects?

MR VALLY: Yes, but let me just - before we move into the projects, you were involved in the Air Force and then you moved to Special Forces?

MR LOURENS: Yes.

MR VALLY: Can you tell us what program you were involved in when you were at Special Forces - sorry, is it Special Operation, I beg your pardon.

MR LOURENS: That's right, it was a small unit called Special Operations.

MR VALLY: So Special Operations was a small unit within Special Forces?

MR LOURENS: Yes, Special Operations was a very small unit. There were a number of medical practitioners, medical doctors in the unit, and I was the only non-medical individual. My task initially within the group was to supply the medical practitioners with technical assistance. This technical assistance varied from installing and providing a radio net for the group of doctors, at that stage operational in the Reef, the Johannesburg-Pretoria area, supplying them with specific vehicles. These specific vehicles were standard Sedan motors but had been converted to be high-speed vehicles, long range fuel tanks, special radio equipment and the like.

I did assist from time to time in small weapons modifications such as converting an assault rifle with a collapsible butt so that the doctor could carry it in his kit. So really, it was really very sort of basic technical support for the medical doctors.

Now this group of medical doctors, their main role was medical support to various operations, whether that was internal or a cross-border operation. They supplied their support to primarily our own forces.

MR VALLY: Can you tell us why would a group of doctors within Special Forces need an it's radio network, as well as why would they need high-speed cars, Sedan cars?

MR LOURENS: It would be quite frankly difficult to tell you exactly why they needed their own radio network, and why they needed their own specific special cars, because during that era we worked, as you most probably know, on a very strict need to know basis, and I was never exposed to the type of operations that they participated in or supported in. It was never known within the unit that one of the colleagues would be going on an operation the next day, and it would be into Lesotho or Angola, or whatever the case may be. It was just not known to us.

So, I for example, on the radio net, I knew what sort of an area that I had to cover, what sort of frequencies I needed to use, etc, but the exact detail thereof and the application thereof was never known to me. I, for example, was not a participant in the radio network. I didn't have a radio, only the group of medical practitioners had radios.

MR VALLY: Did the programme that you were involved in, and we're still talking about the Special Operations programme within the Special Forces under the command of Dr Wouter Basson, did it involve animal experimentation?

MR LOURENS: Yes, it did involve animal experimentation, but not within the unit Special Operations. What we had, at Special Operations we had a small chemical laboratory, so-called Block C at Special Force Headquarters, where we manufactured a teargas, but there was no other chemical biological work done within Special Forces. During the early days of my exposure to the programme, I was taken to a farm, just north of Pretoria, near the Roodeplaat Dam, and at this dam, or at this farm they developed an extensive biological warfare come animal experimentation facility.

MR VALLY: Okay, we'll come back to that in a short while. Can you tell us what period we're talking about now? You joined the Air Force, I believe, in 1982.

MR LOURENS: Yes, I was transferred to Special Forces in '84, and my exposure to both the chemical side, being Delta G Scientific in Roodeplaat, could commence in 1985.

MR VALLY: Alright, in 1985, and this is the sight you were telling us about a short while ago,

MR LOURENS: Yes.

MR VALLY: At this stage it was the Greenfields Development, there was nothing happening there?

MR LOURENS: No, at that stage what was on the sight was an old farmhouse and a small lab complex and some animal cages. There, for example, at that stage had been one chimpanzee at the farm, but there was no extensive animal facilities and animals available at that stage. As far as I can recall, there was some baboon cages, even at that early stage.

MR VALLY: Now, this farm you say was located near the Roodeplaat Dam.

MR LOURENS: Yes.

MR VALLY: How far from Pretoria is that?

MR LOURENS: I'd say it's about 15 - 20 kilometres north from Pretoria.

MR VALLY: Who took you to this farm?

MR LOURENS: Philip Mijburgh took me to the farm.

MR VALLY: And who did you meet at the farm?

MR LOURENS: At the farm I met three individuals, Dr Daan Goosen, who was at that stage the man managing the facility, Dr Andre Immelman, and Dr James Davies. All three of them were Veterinary Surgeons and both Dr Immelman and Dr Davies was Toxicologists.

MR VALLY: Now what were you told about this sight at Roodeplaat? Why were you taken there?

MR LOURENS: I was told at that stage absolutely nothing about this sight. It wasn't a normal procedure that I would be taken to a sight and - or that I would be, you know - the full detail of the project or what they were doing at that stage, would be told to me in detail.

MR VALLY: At that stage, were you told anything?

MR LOURENS: Well, I was aware of the fact that they were doing animal experimentation, and I was aware of the fact that they were evaluating this new generation teargas, but I was never briefed formally by either Dr Basson or Dr Mijburgh in terms of this is the actual programme and you know, this is the evaluation process procedures, whatever the case may be, and as a matter of fact, I, in none of the aspects of the projects were I ever briefed formally, but it wasn't an abnormal practice. That's the way, sort of, things roll. It was a very loose structure, it was a very loose programme.

MR VALLY: Were you - and I'm still talking at this stage when you're still a member of the Special Operations group within Special Forces - were you ever personally witness to the animal experimentations?

MR LOURENS: Yes, I was.

MR VALLY: Can you indicate what you witnessed to?

MR LOURENS: Well, the first exposure that I witnessed was an explosive device - evaluation of an explosive device, it was a sort of a stone grenade, and it was in - that particular evaluation wasn't done at Roodeplaat, it was done at one of the military test sights, I think it was Walmansthal, where the Roodeplaat scientists provided the animals, and at that stage it was rats, to a company which it's now called Medchem, it was Dr Vernon Joint at that stage. So that was my first exposure.

Subsequently at Roodeplaat I witnessed the exposure of baboons to the substance called CR, which is a teargas.

MR VALLY: We'll come back to that. Whilst you were in the Special Operations grouping, you were still a member of the Permanent Force?

MR LOURENS: Yes.

MR VALLY: Did you hold any rank?

MR LOURENS: Yes, I was a Captain.

MR VALLY: Now, was this a formal military unit like other military units were, where people were in uniform, went around saluting each other?

MR LOURENS: Absolutely not. As a matter of interest, this is that I think the only time that I was in uniform during my attachment to Special Operations, was in cases when I was sent to the border. For the rest we were always in civilian clothes, and there was in actual fact, practically no rank structure. It was a very very informal structure and it was relaxed environment.

MR VALLY: Now before this laboratory at Roodeplaat was developed, you mentioned a Block C.

MR LOURENS: Yes.

MR VALLY: This Block C, where was it located?

MR LOURENS: Block C was located in Special Forces Headquarters, on the eastern side, on the ground floor of Special Forces Headquarters. It was a small lab.

MR VALLY: What was it used for?

MR LOURENS: It was used for the manufacture of this teargas called CR. They manufactured CS as well, but that was a previous generation teargas. The

focus at that stage was on the development of this new generation product called CR.

MR VALLY: Can you tell us who else were members of the Special Operations?

MR LOURENS: Of the medical unit the members at that time was Dr Basson, as officer commanding, Dr Swanepoel, although he joined a little later, he was basically the admin officer, Dr Philip Mijburgh, Dr Chris Blunden, Gerrie Odendal, a doctor as well, Deon Erasmus, Hennie Bester and Ben Steyn, and that was basically the group at that time, and of course myself.

MR VALLY: This unit, the Special Operations unit, who did it report to?

MR LOURENS: Dr Basson reported to the then General in command of Special Forces, which was General Kat Liebenberg.

MR VALLY: Did the Surgeon General at the time, General Nieuwoudt, have any role here?

MR LOURENS: Yes, the medical staff was allocated from SAMS, the medical services, to Special Forces. The moment you started to move outside the grouping of special operations, in other words towards the projects, being the biological and chemical warfare projects, these projects resorted directly under the Surgeon General, so Dr Basson had dual reporting structure, on the one side to General Liebenberg, and the other side to the Surgeon General, General Nieuwoudt.

MR VALLY: Was this the situation throughout your involvement with Dr Basson, that he had a dual reporting structure, to the Surgeon General, as well as to General Liebenberg?

MR LOURENS: Mr Vally, it's difficult to answer the question in the sense that I don't think any one of us fully knew who Dr Basson reported to. Dr Basson had a wide range of roles and duties that he played within the South African Defence Force, amongst them Military Intelligence as well, so I think at least into two channels did Dr Basson report into.

MR VALLY: Did Dr Basson have any reporting structure that you are aware of, or any contact directly with politicians?

MR LOURENS: Not that I'm aware of at all. I was - Dr Basson is a private man, and the only relationship that I knew of in terms of him and any politician was with the State President, Mr P W Botha, because Wouter acted as his

physician and he saw him from time to time, but I have no intimate knowledge in terms of the type of relationship.

MR VALLY: Thank you. At some point Special Operations evolved into a different unit. Can you tell us about that?

MR LOURENS: During Dr - General Knobel having taken over from subsequent to the death of General Nieuwoudt ...(intervention)

MR VALLY: Sorry, do you remember when that was?

MR LOURENS: No, I don't, it is late eighties.

MR VALLY: I think it's 1988, I think that General Knobel took over. Please go on.

MR LOURENS: Then the Special Operations unit was transferred from Special Forces back to South African Medical Services and it became what was known then and still is as Seventh Medical Battalion Group.

MR VALLY: Now, at which stage did you relocate from Special Operations, I'm talking about physical relocation?

MR LOURENS: In 1985. What happened in 1985 is, there was - there were two facilities being built. One was the big biological research facility on the same farm at Roodeplaat, and the other was a chemical facility in Midrand, called Delta G Scientific, and at that stage there was a number of, not really problems, but there was a requirement for an engineering input at the Delta G sit, and I was transferred to Delta G to work as a site engineer on the construction phase of this plant. During this time, though, I remained working at Roodeplaat, and I assisted a number of the scientists in manufacturing various types of equipment that they would use, and the equipment was all related to animal experimentation.

MR VALLY: What was the biological facility at Roodeplaat called?

MR LOURENS: It was called RRL, being or standing for Roodeplaat Research Laboratories, and the Afrikaans version was RNL, Roodeplaat Navorsings Laboratoriums.

MR VALLY: Were these official wings of the Defence Force, or were they constituted differently?

MR LOURENS: No, it was not at all - as a matter of fact, it was strongly denied that there was any links with the Defence Force. It was front companies, and there was no evidence of anything military, other than the security systems in place.

MR VALLY: When you say "front companies", can you be a bit more explicit?

MR LOURENS: Well it was a front company in the sense that it had a - it was registered as a PTY Limited. There was a board of directors constituted, they operated in a manner as close as possible that you could - close to a private company with some sort of funding, and the image that was projected into industry was that it was in actual fact a private company.

MR VALLY: Let us first talk about RRL, Roodeplaat Research Laboratories. Who were the Directors of RRL?

MR LOURENS: When I introduced to the company initially, the Managing Director was Dr Danie Goosen and the only two Directors that I can recall at the time, was a Dr Schalk van Rensburg and a Dr Andre Immelman. Dr Danie Goosen left the company round about '85/'86 and he was replaced by Dr Wynand Swanepoel, one of my ex-colleagues from Special Forces.

MR VALLY: And Delta G, who were the Directors of Delta G?

MR LOURENS: Delta G initially the Directors were - the Managing Director was Mr Barry Pithy - no, untrue, the Managing Director at the time was Dr Willie Basson. Barry Pithy was a Director, Dr Gerrie Rahl was a Director, and there was a Mr Andre Redelinghuys. Dr Willie Basson left the company as well at roughly the same time as Dr Goosen left, and he was then replaced with Dr Philip Mijburgh.

MR VALLY: What role did Dr Wouter Basson play in the establishment of these two companies?

MR LOURENS: Well, Dr Basson was the Project Leader of the then Project Coast, and he was absolutely instrumental in the establishment of these two companies, he was the driving force, he was the man that created the - in conjunction with people such as Dr Willie Basson and so forth created the concept, the design everything was Dr Basson's. It was Dr Basson's brainchild to a very large extent.

MR VALLY: If he was not the Director of either of these companies, how did he exercise any control over these two companies?

MR LOURENS: Well, on a project basis in the sense that there was a holding company, a company that basically acted as the channel of funds from the South African Medical Services into the project, being Project Coast, and this was a company called Infladel Pty Ltd and they were based in Hatfield.

MR VALLY: And who were the Directors of Infladel?

MR LOURENS: It was a Mr Ben van den Berg and initially Dr Philip Mijburgh, but Dr Basson was not a Director. As a matter of fact, I don't think Dr Basson was a Director formally in terms of the South African requirements of any of the companies at any stage.

MR VALLY: You stated that Infladel was the means by which these companies were - had funds channelled to them.

MR LOURENS: Yes.

MR VALLY: Who channelled the funds through to the companies? Where did the funds come from?

MR LOURENS: The funds came from South African Medical Services, as far as I know, there may have been other sources as well. It may have, you know, there may have been a source from the Army, or whatever the case may be, but as far I know it was funded by SAMS.

MR VALLY: Can you indicate to us how much was spent in establishing these facilities, Delta G as well as ...(intervention)

MR LOURENS: I have absolutely no idea.

MR VALLY: Now, were you still member of the Permanent Force at the time?

MR LOURENS: No. What happened is, I retained my conditions of employment in terms of salary, etc, etc, but I was paid by the front company.

MR VALLY: Were the two companies, as far as you are aware, still reporting to structures in the then South African Defence Force?

MR LOURENS: Absolutely, absolutely. No, the interface between both Dr Mijburgh and Dr Swanepoel with Dr Basson and the research in general and so forth were regular. Yes, there was a formal reporting channel.

MR VALLY: Was this both the situation under General Nieuwoudt as well as General Knobel?

MR LOURENS: I cannot comment on the General Nieuwoudt era because I didn't know General Nieuwoudt, I met him once, I never interfaced. That was the early days of the project and my exposure was very limited to the running of the project at that stage.

MR VALLY: And General Knobel?

MR LOURENS: Undoubtedly, undoubtedly, that there was a strong interface with General Knobel.

MR VALLY: What was General Knobel's role visa vis these two companies?

MR LOURENS: Well, General Knobel was again responsible from the South African Defence Force's side for the project, the Project Coast, as such, although I have to admit that there had been in my discussions with General Knobel, grey areas in terms of what he knew about - what he bore knowledge of, and what he didn't. I had at one stage, right at the end of my involvement in this project, I had a discussion with General Knobel about the aspects of the project that I thought was going very wrong, and he denied having any knowledge of the offensive part of the project, and he made it quite clear to me that Dr Basson had more than one reporting channel and that that part may in actual fact exist elsewhere, but he denied knowing anything about the programme. So that leaves us ...(intervention)

MR VALLY: Can you indicate to us when this conversation took place, the period?

MR LOURENS: Early '93.

MR VALLY: We'll come back to that shortly. What was your understanding of what Project Coast was about?

MR LOURENS: My understanding of Project Coast was in essence three components. The one component was an offensive chemical ability, and if I have to define that, and the first part thereof would have been the manufacture of CS and CR, that's two types of teargas.

The second part would have been a large research ability in terms - research facility being able to research chemical substances and the ability to manufacture these on small scale. Now, in terms of the - there's a grey area between chemical warfare and biological warfare, and it would include areas such as biochemistry, etc, etc, and that would have been part of the chemical project.

As far as the biological project is concerned, the research was directed towards biological warfare substances. My involvement and exposure to the biological side had been minimal, so I am not able to give you accurate examples, I mean I can speculate about the type of projects as a function of the type of equipment that I supplied them, but I cannot tell you accurately or specific projects that they were working on.

MR VALLY: If I was to use a lay person's definition, and if I was to say that,

"Biological warfare should be distinguished from chemical warfare which uses agents such as chlorine, mustard gas, nerve gases, hallucinogenic drugs,

etc, the essence of biological warfare is the use of living organisms to produce pandemics of disease spread by national means throughout whole populations."

Would - I'm reading from A lay person's guide to family health, would that be accurate?

MR LOURENS: Yes, I think so, although I think that the subject field is much more complex than - but in essence, yes, it's true, but it's truly a complex subject field.

MR VALLY: So the one - the biological facility dealt with living organisms, anthrax, botulism, bubonic plague, those kinds of issues - those kinds of organisms as opposed to chemical substances?

MR LOURENS: Yes, but the biological facility did a great deal of work on, for example physiological studies such as virility and fertility and so forth as well, which is difficult to classify in the subject field of purely biological warfare.

MR VALLY: Let's touch upon that issue for a while.

MR LOURENS: Yes.

MR VALLY: This research into fertility and virility, can you tell us more about this?

MR LOURENS: I can't tell you a great deal. What I can tell you is that the work that was done, was done by a scientist by the name of Dr Borman, Dr Riana Borman, and she was working on primates, baboons, I don't know if the work ever moved onto the chimpanzee level, into ways in which she could influence the virility and fertility of the animal. Speculation has it that a part of this work was directed at an ethnic issue in terms of to be able possibly manipulate ethnic virility or fertility rather, but I know no more than that as far as that specific project is concerned.

MR VALLY: Referring to the speculation, you're referring to - and to be more direct, was the speculation that this work was aimed at reducing the birth-rate amongst black people?

MR LOURENS: Well, Mr Vally, I assume so, and again it's one of those situations that we never ever discussed a project in detail. You know, I would for example, in this particular case I was responsible for the manufacture of a stimulator that is used to stimulate and draw sperm from the male animal and in this discussion with some of the junior scientists, you know, you discuss it vaguely, but I was never briefed formally and said this is the project, this is the

extent, this is the scope, this is the objectives, etc, so please accept it as speculation.

MR VALLY: In you informal discussions, and I accept that you were not formally briefed and you were not party to it, were any - were you aware of any research into specific delivery mechanisms regarding the inhibition of fertility amongst black people?

MR LOURENS: No, no, Mr Vally, not at all.

MR VALLY: Nothing about introducing it to water systems, etc?

MR LOURENS: No, no, at the time that I was exposed to this project, it was right at the start of the project, so, you know, delivery systems would have been a long way down the road.

MR VALLY: When were you aware of this project being initiated, I'm talking about the period, the date?

MR LOURENS: If I - I'd have to say it was '86/'87 roughly.

MR VALLY: And how long did this project last, how long did it run for?

MR LOURENS: I've not idea. During the '86/'87 period I to a very large extent withdrew from the biological project. At that stage Roodeplaat was on it's own feet, it was fully staffed, it had an own engineering department. I still from time to time, even up till '91 supplied specialist equipment, but I wasn't involved in routine animal experimentation equipment at all.

MR VALLY: Did you provide equipment for routine animal experimentation prior to that period?

MR LOURENS: Yes, I supplied them with a number of what is termed, a restraint chair.

MR VALLY: Can you just describe it for us, please?

MR LOURENS: Basically a restrain chair is a chair in which an adult baboon would be strapped into so that experimentation can be done the baboon. The baboon would sit in it and his arms and legs would be tied down. It's a see-through perspex chair so that the baboon can be monitored as the baboon is experimented on. What experimentation as such implies, means, I've never witnessed an experiment, so I've no idea. I supplied them with a gas chamber, and what the gas chamber basically was, was a chamber that - it's a box if you want, again constructed from a see-through material, as far as I can recall it was polycarbonate, and it was of sufficient size that you could in actual fact move the restraint chair into this box and the box allowed you to introduce substances

into this box by whatever means, and if I can define this a little bit more clearly, is that it had a septum, so you could inject through the septum, or you could spray a substance through the septum and it was self-contained, it had an air filtration system so that there would be minimal exposure to the outside, but you can expose the animal on the inside to whatever substance you wanted to.

MR VALLY: Who was this equipment, the restraint chair, the gas chamber, who were they supplied to, which structure or which company?

MR LOURENS: To Roodeplaat Research Laboratory at - the biological lab.

MR VALLY: Experiments regarding biological agents, where were they carried out?

MR LOURENS: I've absolutely no idea. I would assume, speculation, it would have been Roodeplaat, and the only assumption, or the reason for the assumption would be since I installed a filter system at Roodeplaat, which - it's not totally true, I didn't install the system, I was party to the design and specification of the filter system to be able to remove chemical and biological substances, and I have to say to you removal of a biological substance is a reasonably simple procedure, chemical substance is more complex, but biological substance, or particle removal was part of that design, and there was facilities to be able to do that type of experimentation contained - decontaminate, etc, etc.

MR VALLY: Just then briefly, where was Delta G situated, where was the factory?

MR LOURENS: In Midrand.

MR VALLY: Coming back to the gas chamber, who gave you the specifications in terms of which you built it?

MR LOURENS: I interfaced, as far as these projects were concerned, with primarily only two people which and they - Dr Andre Immelman and Dr James Davies.

MR VALLY: What were their roles in either RRL or Delta G?

MR LOURENS: They were both based at RRL and they were both toxicologists, so to a very large extent, especially James, James was responsible for the animal experimentation side.

MR VALLY: Now, to go on, did you move on from RRL at some stage?

MR LOURENS: Yes, I was never in the employ of RRL, I moved on from Spes Ops to Delta G, I worked as a site engineer, and I from time to time as RRL

required my services, I simply just did the work for them. I moved on from Delta G at the end of the chemical site being completed. Once we'd gone into commissioning phase and the staff moved into the building, I had the option of staying on as a site engineer, or leaving, and at that stage I approached Dr Basson and requested that I be allowed to leave with a part of the project, and the part of the project was the part that looked at the chemical defence side. Chemical defence side centred around material studies, engineering studies around the protection of man and of vehicles and systems, so it had to do with gas masks, special filters, special clothing, gas detection, etc, etc, which was a subject field that existed within the project, but which was at really an early stage of development and after a period of time between Dr Mijburgh and Dr Basson, they agreed thereto, and I left with that part of the project. Now, if I say I left with the project, it was really just me and one scientist that left from Delta G, and we started this project from scratch.

MR VALLY: What was - did you form a company?

MR LOURENS: Yes, I formed a company called Systems Research and Development. We were based in Randburg and in this company I had three or four scientist and myself initially.

MR VALLY: Was this also a front company?

MR LOURENS: Yes.

MR VALLY: Who was it financed by?

MR LOURENS: It was financed by the South African Medical Services via Infladel and the system worked as follow, it's is that I would draft a series of project proposals in terms of, for example, the evaluation of textiles from Europe to be used in, to the manufacture of chemical warfare suits, do a formal scientific proposal, do the costing of this particular scientific proposal and then submit it to Dr Basson. The project would be split into phases, and as we complete a phase, submit a report, we would be paid for that particular part of the report, and it ran in that manner for a number of years.

MR VALLY: And who would you report to?

MR LOURENS: I reported to Dr Basson, although I have to qualify this and say, Dr Basson was never involved in the day to day running of the project, or the month to month running of these projects, he was busy and had a lot of other things on his plate. He in turn appointed a consultant to verify the scientific integrity of the projects and this consultant was again Dr Willie Basson. Dr

Willie Basson being the man that initially started Delta G. He had left Delta G, he was working at Protea Chemicals at the time, so as far as the scientific integrity was concerned, I reported to him.

MR VALLY: You've mentioned some of the project proposals that were approved involved protective textiles.

MR LOURENS: Yes.

MR VALLY: Can you tell us what else was involved, what else did you manufacture?

MR LOURENS: Yes, very briefly, I'll give you an overview of what we ended up eventually, not what we started with, the areas of technology that we were looking at was firstly, protection of the body, that being boots an over-boot and a textile for a chemical suite. Secondly, would have been the protection of the respiratory tract, in other words, gas masks. We looked at detection devices and the detection technology we separated into two groups, one being proximity protection, and one being long distance detection, and the technologies between the two was very very different. And then we looked at test methods, quality control methods and test methods to be able to verify quality of these products being manufactured.

Now, the process of verification in our case was one of actually testing the protective clothing with the test substance, and the test substance was chemical warfare substances. So we had the ability to manufacture chemical warfare substances across the total spectrum on a very small scale, small scale being 1 - 5 millilitres. Oh, and then of course the last area which I neglected to mention, was filtration media. Filtration media, the key to filtering chemical substances from air is a product called activated carbon, and this activated carbon is impregnated with specific metals to be able to selectively remove these chemical warfare agents, and that was a big project for us.

MR VALLY: Were you ever given directions as to certain projects that you had to complete, or follow up?

MR LOURENS: I was not given formal directions in the sense of being briefed of the strategic direction that we should pursue, it was really we worked from scratch, it was like starting a new research project for a doctorate, it was really working from scratch. We aligned our processes from time to time with Dr Basson, but really that would have been once or twice a year, no more than that.

MR VALLY: Was there anything specific that Dr Basson asked you to look into or research - prepare research on?

MR LOURENS: As far as the defensive capability is concerned, no. What did, however, happened in this era, was that the company SRD developed into, or branched out into two other areas. One was Dr Basson needed an ability in terms of ...(intervention)

MR VALLY: Sorry, Dr Lourens, just to warn you that if you do want to talk to your lawyer, switch your mike off, because it is picked up through the headphones.

MR LOURENS: Okay, no, that's find, I was just looking for a word, so it's no problem.

Surveillance equipment, you know electronic surveillance equipment. So, we developed a specific ability to develop surveillance equipment and counter-surveillance equipment.

MR VALLY: Was this at the request of Dr Basson?

MR LOURENS: It was a specific request of Dr Basson, yes. And then, what happened as well, is I was requested in this time to accommodate two individuals in our little company. Accommodate, being giving them a place to work, and these were two gentlemen that - I was introduced to the one by via General Lothar Neethling, and the other one by Dr Basson, and their requirement was for a mechanical workshop, which was set up in our facility.

MR VALLY: I'll come back to that in a short while. Since you were financed via Infladel, we assume that that was money from the South African Medical Services,

MR LOURENS: Yes.

MR VALLY: Did they in any way supervise your work?

MR LOURENS: Well, they didn't supervise my work in terms of having regular project meetings, or whatever the case may be, the quality control of the project was done via their representative, which was at that stage Dr Willie Basson.

As the project grew, and as the project ran for a number of years, the control mechanism became a lot better, became much more intimate and the extent to which South African Medical Services interfaced with us became a true working relationship, for example, at the end of the project, or when I left the project in the early '90's, there was a strong SAMS team working with us on a weekly/monthly basis discussing the projects, the development of the project,

etc. So by that time - but initially it didn't exist, but eventually it became a very very structured and a very orderly process, and all aspects thereof would have been monitored, whether it was equipment acquisition, whether it was the integrity of the science being performed, etc, and at that stage early '90's Armscor was involved, the project had been transferred from SAMS to Armscor, so we were running to the formal Armscor systems, if you want, which was totally controlled.

MR VALLY: Would you say that at all times that SAMS was aware of the work you were doing?

MR LOURENS: Not necessarily SAMS, but SAMS and/or Dr Basson, yes.

MR VALLY: You're talking about Dr Willie Basson?

MR LOURENS: No, Wouter Basson.

MR VALLY: Dr Wouter Basson?

MR LOURENS: Yes, and can I perhaps just separate the issue here. The surveillance equipment and the mechanical facility that existed within the then SRD was not known to Dr Willie Basson. I reported in to Dr Willie Basson only as far as the chemical warfare defence project was concerned. As far as the other two was concerned, I spoke to only Dr Wouter Basson.

MR VALLY: Let us briefly talk about the other two projects that were introduced into your company. You mentioned one by Dr Lothar Neethling and one by Dr Wouter Basson.

MR LOURENS: Yes.

MR VALLY: Can you tell us about these two?

MR LOURENS: Basically what happened there is that I was introduced by Dr Neethling to a man by the name of Bart Hetima and what Bart Hetima did is he brought into the mechanical facility, if you want, we called it cubic laboratories, he brought into cubic laboratories a skill, an ability to pack aerosols and aerosol cans of various sizes and the focus was at that stage, packing teargas for use by the security forces, primarily the South African Police, into these aerosol cans. The other individual that ...(intervention)

MR VALLY: Sorry, who had introduced Mr Bart Hetima to you?

MR LOURENS: General Neethling.

MR VALLY: General Neethling.

MR LOURENS: With of course the consent of Dr Basson, I mean there was a close relationship between Dr Basson and General Neethling, so it was ... (intervention)

MR VALLY: Did they ever see you jointly, Dr Lothar Neethling and Dr Wouter Basson?

MR LOURENS: Did I see them jointly?

MR VALLY: Yes, did they ever come and see you jointly?

MR LOURENS: No, no, they - without exaggeration, if Dr Basson was at any of the premises that I occupied more than three or four times, it would have been a lot, and with General Neethling, no more than twice, although I must say since I saw them at their premises regularly, yes.

MR VALLY: How often did you see Dr Wouter Basson and Dr Lothar Neethling?

MR LOURENS: It varied - it varied as a function of Dr Basson's availability. It was not unusual for Dr Basson to be away for extended periods of time, so really, it wasn't a regular meeting. General Neethling, I at one stage saw him regularly, once every two weeks, but on a completely different level. It was quite frankly a strange sort of meeting process in the sense that it was a social visit. He partook in the formal research meetings two or three times, and then it died down, and then his participation stopped, and he didn't - that's now the chemical warfare defence side, and otherwise I saw him from time to time, and it was really, we were having a coffee together or drinking a whisky together, or whatever the case may be, but it was, it wasn't an active technical interface at any stage.

MR VALLY: Let's talk about these two aspects, cubic labs as well as the electronics aspect.

MR LOURENS: Yes.

MR VALLY: Dr Lothar Neethling introduced Bart Hetima to you and his special capabilities were packing aerosol cans.

MR LOURENS: That's true.

MR VALLY: Did he have any other special capabilities?

MR LOURENS: Not that I know of.

MR VALLY: Did Dr Lothar Neethling ask for you to do anything else besides letting Mr Hetima pack aerosol cans with teargas apparently?

MR LOURENS: No, Dr Neethling in terms of, even issues such as the packing of aerosol cans, did not interface with me. He interfaced with Hetima. He didn't ask me for any other ...(intervention)

MR VALLY: Would you know what was in the aerosol cans?

MR LOURENS: Well, the, in the cases that I know of, it was either CS or CR, but the fact, you know, I wasn't party to the packing processes, they occupied a facility in my building, so for the rest, I could only speculate.

MR VALLY: Which period was this?

MR LOURENS: '86/'87.

MR VALLY: You mentioned Dr Basson also introduced you to a person who started working at your facility.

MR LOURENS: Yes.

MR VALLY: Can you tell us who that was?

MR LOURENS: The man was an armourer by the name of Phil Morgan, and Phil used to work at a company called EMLC, which was based as Special Forces Headquarters.

MR VALLY: Can you indicate to us what this gentleman did?

MR LOURENS: Well, this - what we did, or how this process worked, was the following, this is that Mr Morgan manufactured mechanisms that could be utilise to apply chemical substances to individuals, in other words, it was a variety of mechanisms that can be used to apply the chemical, the chemical warfare agent in, whether it's in a powder or a liquid form to individuals.

MR VALLY: Who was doing this primarily?

MR LOURENS: Phil Morgan.

MR VALLY: Was this with your assistance?

MR LOURENS: No, it was never with my assistance, but I need to clarify this quite clearly, is what would happen here, is just that this would be a process of a number of people being involved. The process would be the following, is this that a requirement would be set by, for example the toxicologists that would evaluate the piece of equipment, whether that would be Dr Immelman or Dr Davies, and let me give you an example, they would say, listen we need to inject 5ml of a watery substance into a body, and then there would be certain constraints, it must be quiet, it must be concealable, or whatever the case may be. That would be defined to me.

MR VALLY: Who would give you this instruction, who would ask you this?

MR LOURENS: Dr Immelman, Dr Davies or Dr Basson, and ...(intervention)

MR VALLY: Dr Wouter Basson?

MR LOURENS: That's Dr Wouter Basson, yes. This project, this programme, Dr Willie Basson never knew, or was never party of this part of the project. I then in turn would go back to Phil and give Phil the basic requirement, and then leave him, and he would work and sketch and draw and come back with a piece of equipment which I would then hand over to the toxicologists, which they would evaluate, and then they may come back with some refinement, and this is the process that sort of ran over a period of time.

MR VALLY: Can we call these applicators?

MR LOURENS: Yes, applicators is a good word.

MR VALLY: Did Mr Morgan make anything else besides these applicators?

MR LOURENS: No, the applicators was quite a range of equipment, it wasn't - there wasn't one single piece of equipment, they varied, let me give you an example, it started off with for example a ring, a ring that would be worn by an individual that would have a compartment and a coin that concealed the chemical substance, and as the coin would be swung away the substance can be decanted into a drink, or whatever the case may be. And then it progressed, it progressed then onto a mechanism such as a knife, a knife-like mechanism that would be ejected from a cigarette box, a substance - the knife for example was shaped roughly in the shape of a spoon, and this spoon-like subject, or object, could contain a chemical substance as well. Some of the applicators, for example, screwdrivers, now it really is a screwdriver ...(intervention)

MR VALLY: Sorry, maybe it would be opportune to show you some of these instruments. These were obtained by the office of the Attorney-General, with your assistance.

MR LOURENS: Yes.

MR VALLY: And we'll come to just now as to where they were buried. If I could take one of these instruments, and you took us through it, here we have what looks like a screwdriver.

MR LOURENS: Yes.

MR VALLY: Can you tell us about it?

MR LOURENS: Well, the principle in all cases had been exactly the same. You have in the front end the needle-like section, and at the very tip of it would be a hole. In the handle would be a cylinder that would be spring-loaded. The principle always was the following, you would suck the substance into the cylinder via the front end and then you would lock it into a position. Now it would be spring-loaded. The operator that uses the piece of equipment would stab the person being attacked, and in the stabbing process, the piston would be released and the chemical substance would be injected into the individual, and those would all to a lesser or greater extent work in the same manner. Now, the - in terms of those particular units that you have in front of you, there was two varieties. The one variety was a basic screwdriver, the other variety is a needled unit, so what it would have at the front was rather than a screwdriver, a single probe, it would have a number of needles, but the principle would be exactly the same.

CHAIRPERSON: Are these exhibits safe for handling?

MR LOURENS: Absolutely.

CHAIRPERSON: I would not touch the front end if I was you, Mr Chair.

MR VALLY: What did you understand that these screwdriver applicators were being used for?

MR LOURENS: Mr Vally, I was never told what it was used for, but it was quite obvious in terms of, you know, the sort of thing that was devised, I mean it was never told - I was never again brief and said, you know, give me a screwdriver that can inject a poison into whoever, so that was never discussed with me, but from the job that, I mean from the weapon that you have there, it's quite obvious what it was used for.

CHAIRPERSON: Excuse me, you said there were two varieties, ordinary screwdrivers, and then the other variety?

MR LOURENS: The other was exactly the same type of unit, but instead of it having the screwdriver end, it would have a number of needles, syringe needles at the front end of the, let's call it the piston end. Now, what I need to say is, well, is this is that these units were packed in different formats, in other words for example, there was an example of a needled unit packed into what looked like a bicycle pump. So, in essence what you would have in your hand would be a bicycle pump. You'd have the ability to slide it back and then you would expose the needles. It was packed into a walking stick, into an umbrella, so there was a number of different ways in which it was packaged.

CHAIRPERSON: Rather like a James Bond movie, wasn't it?

MR LOURENS: Unfortunately.

CHAIRPERSON: Mr Vally?

MR VALLY: So, we have a series of screwdrivers both with working with a stabbing mechanism and some working like a syringe with a needle mechanism.

MR LOURENS: Yes.

MR VALLY: With some item in the handle. There is a document, I'm referring to TRC '96, it should be with the section 29 notice, if I could just read it out to you, I'd like to know how this works. This appears to be an issue regarding quality control, it says,

SKROEWEDRAAIER:

1. Die skroewedraaier het 'n paar probleme opgelewer.

1.1 Die suier klink om op die agterkant en sit dan vas in die silinder as gevolg van die slag op die aluminium suier;

1.2 Slegs 2 tot 2.5ml van die ongeveer 5ml van die silinder mates word uitgespuut.

2. Die lawaai is baie sag omdat dit 'n geslote kamer is. Dit is aanvaarbaar.

AANBEVELING:

1. Dat die silinder van 'n harde metaal gemaak word, soos byvoorbeeld, vlekvrystaal.

2. Dat die silindervolume verklein word na ongeveer 2.5ml sodat alles met een skoot uitgespuut kan word."

Do you know the document I am referring to?

MR LOURENS: No, well, I've seen it since you've issued to me, but not before.

MR VALLY: What we are curious about, is it seem to be signed by - do you recognise the signature at all?

MR LOURENS: Yes, it's Dr James Davies.

MR VALLY: And it seems as if Dr James Davies is doing an assessment of these screwdrivers.

MR LOURENS: Yes.

MR VALLY: Who would communicate this to you? Who would tell you the screwdrivers are not working properly?

MR LOURENS: He would.

MR VALLY: He'd tell you personally?

MR LOURENS: Yes.

MR VALLY: And then you would improve on them?

MR LOURENS: Well, I would tell Morgan, listen it didn't work so well, try something else, then he would try something else.

MR VALLY: Was this something which happened regularly?

MR LOURENS: No, no, as a matter of fact this is that this particular incident in terms of having had a problem with the technical aspects thereof is completely new to me. There were one or two cases, it wasn't an active process of feedback and continued development at all.

MR VALLY: So, Dr Lourens, by this stage, when you started being a conduit for making such instruments, you could call them potential instruments of death, you probably realised that, or were more involved than you were when you first started with the project?

MR LOURENS: Yes, but I was involved with - at that stage I was driving the chemical defence project. I - my only involvement in terms of anything offensive at that stage, was acting as this conduit between Phil Morgan on the one side, and the users, and the users was really, I either gave the units to Dr Basson or I gave the units to Roodeplaat Research Laboratories, and that was my only involvement. I really was just the handler and payer of the equipment.

MR VALLY: So you personally gave this to either Dr Basson or to Dr Davies?

MR LOURENS: Yes, absolutely.

MR VALLY: Did you ever give them to any other person?

MR LOURENS: Never - no, no one incidence, I was asked once by Dr Basson to move one of the screwdrivers and two vials filled with a chemical substance to the UK, and I then took it to the UK. I ...(intervention)

MR VALLY: Do you know when this was?

MR LOURENS: Sure, late '80's, maybe 1990, but I don't recall accurately. I then moved the screwdriver, and I must be honest with you, I cannot recall whether that screwdriver was mailed across to a mailbox, or whether I hand-carried it. What I do know is that I hand-carried the two little glass vials, if

that's the correct word, with me when I travelled to the UK. I then had to meet a man ...(intervention)

MR VALLY: Let's start at the beginning. Who asked you to travel?

MR LOURENS: Dr Basson.

MR VALLY: And what did he say the purpose of your travel was?

MR LOURENS: I had to hand over this mechanism and demonstrate the mechanism to an individual.

MR VALLY: And did he tell you who the individual was?

MR LOURENS: He didn't - he told me I would meet a man at the station, and he told me that I had to be at a certain time at a certain station, and that this man would meet me, and this is exactly what happened.

MR VALLY: And did he tell you what were in those glass vials, the ampoules?

MR LOURENS: No.

MR VALLY: What did you suspect was in there?

MR LOURENS: A poison.

MR VALLY: Oh, I see. Did you ever - by this stage you felt your involvement, did you ever question that, or why did you agree?

MR LOURENS: I didn't question it at that stage. I did question it at a later stage, subsequent to this hand-over, but at that point I didn't question it at all.

MR VALLY: And why not?

MR LOURENS: Mr Vally, it's a difficult situation to answer you. You know on a hindsight we have all this wisdom, but at that point in time, I mean, it was this closed project, we were fighting this great enemy, it was this absolute total secret, super-secret project and we worked on such a strict need to know basis that we questioned practically nothing. I didn't question it at that stage.

MR VALLY: Who funded your trip?

MR LOURENS: I don't know, I can't remember, because some of those trips I funded, and some of the trips was funded by the company that I was working for at the time, but eventually the South African Medical Services funded it, yes.

MR VALLY: Was there more than one trip?

MR LOURENS: No, there was many many trips, but there was only one trip in terms of hand-over of this type of weapon.

MR VALLY: We're coming back to the handing over of these items. What were the other trips about?

MR LOURENS: On the chemical defence side, I travelled to Europe very very often to try and acquire technology, or products with respect to chemical warfare clothing, we negotiated a gas mask transfer, a technology transfer project into South Africa, activated carbon, all kinds of aspects around the pure defence project.

MR VALLY: And all these trips and, including the work of Mr Hetima and I believe you said Mr Coleman?

MR LOURENS: No, Morgan.

MR VALLY: I'm sorry, Morgan, I beg your pardon. These were all carried out by or under the company's systems research and development?

MR LOURENS: Initially, yes, and, but I left the company in 1987. What happened in 1987 is that I left the company to focus only on the chemical protection side, on the defence project. So, I left the SID electronics side and I left the cubic laboratory side. That was taken over by a man by the name of Johnny Koertzen, a Special Operations Psychologist, he took over from me, but as far as the interface - as far as the screwdrivers is concerned, I remained involved as far as that specific part is concerned, and that I remained involved in for quite some time.

MR VALLY: Alright, let's just go onto the screwdriver that you were asked to take with the two ampoules to Britain, what happened there?

MR LOURENS: What happened is, I met the man, by the name of Trevor, I was just introduced - I was told that his name is Trevor, and I met him as Trevor. We went to a cottage that belonged, or that was rented by Dr Basson, just outside Ascot, that little place called Warfield. I drove him there, and at the cottage I demonstrated to him how the mechanism worked. I opened the vile, one of the vials, sucked the substance into the unit locked it into it's - it had a safety lock mechanism. I somewhere spilled some of the substance on my hand and I don't know how it happened, but I wiped my mouth and I lost consciousness very quickly. There was a bathroom, I recall going into the bathroom, and I recall there being a bottle of Dettol, which I drank. Again, in hindsight, I have absolutely no idea why I drank the Dettol. At that stage, I to a large extent lost sight, and of course the Dettol induced a lot of vomiting etc, etc, and I woke up a period later.

MR VALLY: This item that you were asked to transfer, can you describe it to us?

MR LOURENS: Mr Vally, I must tell you this, I don't have a good recall, I can't recall whether it was a screwdriver or a needled unit, but it was one of the two. I don't have a very good recall of that particular day and that incident, but it was definitely a hand-held unit, and it was either a screwdriver or needled. I've thought about it, trying to recall the memory, and one of the issues that I can't recall, you know, for example I can remember the vile was a glass vile, and it's a smallish vile, and if you have to such up the liquid with the average screwdriver unit that was in front of you it would be difficult, so I assumed it to have been a needled unit?

MR VALLY: Was it an item manufactured at ...(intervention)

MR LOURENS: By Phil Morgan, yes.

MR VALLY: Yes. Just to go back very briefly, who were the Directors of Systems Research and Development, SRD?

MR LOURENS: It was myself, a man by the name of Bernard Zimmer, based in Luxembourg, a man by the name of Charles van Remoortere, they'd been working with me quite closely on the acquisition of materials from Europe, but it changed subsequently when I left.

MR VALLY: Were these all South Africans?

MR LOURENS: No, Mr Zimmer is a - both Mr Zimmer and Van Remoortere are Belgian citizens?

MR VALLY: Were they aware of the screwdriver project?

MR LOURENS: Absolutely not.

MR VALLY: Alright, after your delivery of the screwdriver, did you have any other mission in Britain, or did you return to South Africa?

MR LOURENS: I returned, yes.

CHAIRPERSON: And did you report this?

MR LOURENS: I reported it to both Dr Basson and Dr Mijburgh, and the reaction was one great scepticism about my story and their response to it was that it was highly unlikely that even if I had only a drop in my mouth that I would have lived, and we never discussed it again. Not that particular incidence, the poisoning of myself, no.

MR VALLY: Did you ever see experiments on animals carried out with any of these screwdrivers?

MR LOURENS: No.

MR VALLY: Were any reports ever made to you on experiments?

MR LOURENS: No, never. Not written reports, James Davies and I had discussions about the equipment, but written reports, never. It was never made available to me.

MR VALLY: Did Dr James Davies ever tell you that this had been used on animals to test it's effectiveness, or whatever?

MR LOURENS: Well, he - what he said to me was that they had evaluated the mechanism and you know, we never discussed it in detail in terms of what the evaluation meant, whether it was an animal, or whatever the case may be, they had used different models at different stages, so no, the details was not discussed with me, but there was an evaluation. I was aware of the fact that there had been an evaluation, yes.

MR VALLY: This evaluation, did it ever involve a discussion as to the effect that this weapon had had on a human-being?

MR LOURENS: No.

MR VALLY: Are you aware of whether this was ever tested on any person?

MR LOURENS: Not at all.

MR VALLY: Let's go back to SRD, can you advise us of what the further developments at SRD were?

MR LOURENS: I was - I moved away from SRD. The Chemical Defence Project had become a substantial project in terms of the number of sub-projects that we were running as scientists, etc, etc, and to the extent that we - it was necessary for us to move from our premises which was based in Randburg at that stage, we had to move into a bigger facility. The project had developed to the extent that it was decided that I would carry on with the Chemical Defence Project, and at this stage Armscor had become involved in this project, and that Johnny Koertzen would remain involved with the other companies.

MR VALLY: Let's understand that when you carried - when you hived off from SRD with the Chemical Defence Project, you also went with the screwdriver project.

MR LOURENS: I had remained responsible for the screwdriver project, yes.

MR VALLY: And who did you take with you?

MR LOURENS: Nobody, nobody went with me. Morgan stayed where he was, and the mechanism operated in the same that I would interface with Morgan, and Morgan would supply the stuff to me, and so the routine remained, but he, and quite frankly, I know that he moved out of the SRD facility with his equipment at some stage, his and Hetima's paths parted, but you know, I still phoned him up and he carried on doing the work.

MR VALLY: Besides the screwdriver facility that we're talking about, were there any other offensive items, weapons, or whatever that SRD were responsible for making?

MR LOURENS: Not that I know of, no. I at one stage received a - right at the end of my period, just before I left the organisation, I met with a man by the name of Joe Verster, who was the head of the CCB. I was introduced to Joe by Dr Basson, and the reason for the introduction was, is that the two of us would have started to work closely together. I met Joe only once, subsequently I was introduced to a man by the name of Danie Wahl who was Joe's second-in-charge, and at one of the meetings, which was the second or third meeting, Danie gave me a number of parcels. There was a number of sheet explosives, which is basically it looks like a piece of cardboard, there was a number of letter-bomb mechanisms, there was two boxes of washing powder, OMO washing powder that had an explosive mechanism packed into them, and I was asked/told to keep the equipment in a place of safekeeping, but this didn't come from Phil Morgan, this didn't come from SRD, it came from another source, but that had been my only interface in terms of other weapons.

MR VALLY: These items, so there were the screwdrivers, there were two OMO washing powder boxes, with explosives in them already?

MR LOURENS: Yes.

MR VALLY: And a triggering mechanism?

MR LOURENS: It was separate, it was - the trigger - was literally just a box of triggering mechanisms, yes.

MR VALLY: I see.

MR LOURENS: But the boxes, the soap boxes were - had the explosives, they were primed, they were, you know, ready for use.

MR VALLY: Why were they left with you?

MR LOURENS: I have no idea. It was left with me at the time, you know, the discussion that I had with Danie Wahl, and at that stage the situation was that we were going to work quite closely together in the future, and the stuff was given to me, and I left quite soon thereafter, so there may have been a particular reason for this, or a particular project to which I had not been exposed, but I was never briefed at that time of what it was for.

MR VALLY: Amongst the items dug up, it looks like a few pieces of rusted metal, was this item - these pieces here, can you just briefly tell us what that was?

MR LOURENS: That's a letter-bomb mechanism. That's a mechanism that is basically used, it contains a cap, it's triggered, it's a mechanical device. It's attached to an explosive, it's packed into a letter, and as the letter is opened, the mechanical device is triggered and the bomb explodes.

MR VALLY: And the explosive material would be this flat sheet ... (intervention)

MR LOURENS: The flat sheet, yes.

MR VALLY: I don't know if you are aware of these photos, I know that ... (intervention)

MR LOURENS: Yes, yes, that is the photo of the flat sheets.

MR VALLY: These flat sheets?

MR LOURENS: Absolutely.

MR VALLY: They would look like the back of your exam pad?

MR LOURENS: Yes, it's slightly thicker, Mr Vally, but it looks like the back of an exam pad, yes. It looks like a floor tile, you know the sort of square floor tiles, it looks like those square floor tiles.

MR VALLY: It was just left with you by Danie Wahl without indicating to you what it was for?

MR LOURENS: No, it wasn't indicated to me at all what the usage was going to be for.

MR VALLY: Are you aware of any of these letter-bomb mechanisms being used?

MR LOURENS: No, no, Mr Vally, you know I know that people have been badly harmed, hurt and killed, maimed by letter-bomb mechanisms that have been - you know, what I've read in newspapers and what I've read subsequently.

I was never told beforehand that - I was not involved in the manufacture of letter-bombs at all, I was just the custodian, if you want, of that parcel.

MR VALLY: And do you remember when this was given to you?

MR LOURENS: Early 90's. No, I can be more specific, I left Protechnic in March 1993, and it would have been just before, late '92 early '93.

MR VALLY: Okay. Let's just talk about some of the items that you were aware of that Mr Phil Morgan manufactured. We've got the screwdrivers, both the stabbing mechanism as well as with the needle mechanism.

MR LOURENS: Yes.

MR VALLY: You've mentioned a bicycle pump.

MR LOURENS: Yes.

MR VALLY: Which contained a needle unit?

MR LOURENS: Yes.

MR VALLY: You've talked about in the early stages rings with a coin,

MR LOURENS: Yes.

MR VALLY: Which I assume conceal a secret compartment in which poison was put?

MR LOURENS: Yes and it would be manufactured primarily for a powder substance, not a liquid.

MR VALLY: Were there any other items that you can recall?

MR LOURENS: Walking sticks.

MR VALLY: And what were the walking sticks used for?

MR LOURENS: There was two models, the one model was a walking stick that concealed a needled unit in the front, and the last model that Phil worked on was a walking stick that would shoot a little ball, it's a polycarbonate ball, and this ball had a number of holes drilled through it, so you would be able to pack your toxic substance into this little ball and at close proximity, the idea was to be able to shoot the person in the back of his leg, and the ball would penetrate the person's body and the chemical substance would dissolve into the body of course, and kill the individual. The ball was small, so it was sufficiently small not to draw a hell of a lot of attention in the sense that the person being shot would experience something like a bee sting, and the reason why polycarbonate was suggested, was it's a hard substance, and secondly, it was a substance that was very difficult to pick up under x-rays.

CHAIRPERSON: Excuse me, Mr Vally, we are at 15h55, and I just wanted to have a sense of how long you think you are still going to be with this witness, given that there will be cross-examination and ...(intervention)

MR VALLY: A conservative would be about half an hour, on my part, Mr Chair.

CHAIRPERSON: You see, because we didn't start at 09h00, there are witnesses who were supposed to be testifying today. We have to have a sense of who we should hold over, who will be called, who can be called, who will not be called.

MR VALLY: I will discuss with my colleagues, and maybe we can arrange to move at least one of the witnesses over to tomorrow, but I would ask that we sit a bit late, if possible.

CHAIRPERSON: How late?

MR VALLY: We can take a break. Well, if our presents are anything to go by, at least until 18h00.

CHAIRPERSON: I see, do you want us to go on, or do you want a small adjournment?

MR VALLY: I will not object to a small adjournment then I can ...(intervention)

CHAIRPERSON: I think we need to get a sense, maybe if we take the adjournment now, and know that when we resume we will run until 18h00. You need to confer with your learned friends and to get a sense of how long the cross-examination is likely to be so that we can pace ourselves. I don't want to limit cross-examination, especially when we have not limited your examination in chief, but it seems to me that you are not unaware of precedence where we had to impose time limits in order to get through with the schedule, and we may have to revert to that sort of formula, but I can't just spring it on the other legal representatives. I think it should be clear now, now that we know that we are going to be sitting, and in this sort of fashion that we need to have arrangements which will be announced ahead of time for all legal representatives as what sort of limit we place on the examination and cross-examination of each witness.

MR VALLY: I hear you, Mr Chair and maybe we can discuss it during the adjournment, but there will be some witnesses who will be very quick and some witnesses, like Dr Lourens, who cover a whole period, and the knowledge is such we'll take longer.

CHAIRPERSON: Let's take an adjournment now and let's resume at 16h10. There's one question that ...(intervention)

MR CILLIERS: Dr Lourens, can I just ask one question, all these mechanisms that you've mentioned, and the ones that we see in front of us, are these prototypes that we're seeing, and how many of these were actually manufactured? Was it just in special situations that you were asked to produce a ring and Mr Phil Morgan would then produce it for you ...(intervention)

MR LOURENS: Yes.

MR CILLIERS: Or would you actually manufacture several ...(intervention)

MR LOURENS: No, we never manufactured several. The only units that we manufactured several of was the screwdrivers. You know, when I decided to testify on this issue I had a long discussion with him, and my recall and his recall of numbers had in actual fact been very different, for example, the rings I can clearly recall that we made a few, two, three, four, five, he says one maybe two, but it was never a mass volume production at all. On the screwdrivers there was quite a number manufactured. It may have even been twenty, but I could be out by five either way, but we never manufactured hundred.

MR CURRIN: Thank you.

CHAIRPERSON: Can we take the adjournment now and resume at 16h15.

HEARING ADJOURNS

ON RESUMPTION

CHAIRPERSON: We are about to resume if you could all be seated. Dr Lourens. Mr Vally?

EXAMINATION BY MR VALLY (cont.)

JAN LOURENS: (s.u.o)

MR VALLY: Thank you, Mr Chair. Dr Lourens, we were just going through the weapons that you were aware of that you were aware of that were manufactured. You talked about rings with coin on top, screwdrivers with syringe-like mechanism, you talked about a bicycle pump. I believe we were talking about the umbrellas and the walking sticks. Could you just briefly tell us again how these ...(intervention)

MR LOURENS: The - both the umbrellas and the walking sticks we had two variations. The one variation was the needled unit, so it would be a normal umbrella that would have a protection cover, if you want, and then the needle, a

normal needle cylinder that could project the chemical, and then the last model that we worked on, that Phil made was the umbrella and the walking stick that could shoot this little projectile that could carry the toxin or the toxic substance.

MR VALLY: In terms of the projectile, I just want to know, since you did make some chemical products at your plant for purposes of testing your equipment, did you ever pack it there as well?

MR LOURENS: Never. The sort of substances that we manufactured were the conventional chemical warfare substances so it was mustard gas, nerve gas and this type of substance. No, the - your application of those substances on such a small volume would not render - would not have the ability to kill the human-being. No, it was never packed.

MR VALLY: Why did you use polycarbon balls?

MR LOURENS: For two reasons, number one, it's a hard ball, and the second reason was that I was advised by either James or Dr Immelman that says that this is the type of substance that you would not be able to pick up on an X-ray. Now, if I say I was advised by Andre or James, I cannot actively recall the discussion, but those had been the people I had interface with.

MR VALLY: Who would normally give you specifications, for example the umbrellas or the walking sticks? Who would tell you I'm looking for an item of this kind?

MR LOURENS: That would have - a specification per se was never given to me, neither Dr Immelman, Davies or Dr Basson would give me a special request or a specific specification. You know, it would often be a very loose discussion, they may have evaluated a piece of equipment and said, look, it works well, but perhaps we could look at something else that could shoot the little ball over three metres, or whatever the case may be, but my contact in terms of the manufacture thereof came from Dr Basson.

MR VALLY: So would Dr Basson give you the specific specifications?

MR LOURENS: He never gave me specific directions, you know, it would be a discussion, he wouldn't tell me give me an umbrella that can shoot a ball three and a half metres at 400 metres per second, no, that he would never do, and he never did.

MR VALLY: I want to move on to another item, which is the issue of the investigation into a possible chemical attack in Mozambique in 1992. Can you

just tell us about this, who brought you into the investigation, and what the investigation did in fact do?

MR LOURENS: I was contacted by Dr Basson. He instructed me that I was to be contacted in due course by Dr Brian Davies, and that we at Protechnic, at this stage I'd left SRD and I'd worked at Protechnic, running Protechnic on the Chemical Defence Programme, that I would be contacted by Dr Davies and we needed to investigate an alleged incident of a the application of a chemical warfare substance in Mozambique. We at that stage had developed ...(intervention)

MR VALLY: Let's just understand this, the application of a chemical warfare substance Mozambique, can you spell this out for us, please?

MR LOURENS: Well, we didn't know. We were told that there is an allegation, that there was some sort of chemical substance applied to people in Mozambique and ...(intervention)

MR VALLY: The chemical attack?

MR LOURENS: Yes, well, it wasn't, you know it was not stated as an attack, there was a chemical incident. A chemical incident didn't refer to a situation of ...(indistinct) of a hazardous chemical, in other words, it wasn't an industrial incident, it was a military type of incident, but we didn't have the detail. It was never told to us that it's ...(indistinct) and applied mustard gas on a civilian population. We were just told there's an incident, were going to have to do a verification on this incident.

MR VALLY: Go on, please.

MR LOURENS: We had at that stage done a lot of work on verification in terms of what you basically do, is you investigate the particular chemical substance, let's say it's mustard gas, bad example, let's say it's nerve gas, so you would investigate nerve gas and say, okay, if nerve gas had been applied, what would it break down to. So you wouldn't look necessarily for nerve gas, you may look for breakdown products, you may look for sweat and tell tale signs of particular chemical substances, and we developed collection procedures, we collected, we developed protective systems to be able to go into areas to be able to verify the particular incident. We set the team together, from the laboratory and it was - we were three or four from the laboratory, and it was, we were three or four from the labs and three or four colleagues from South African Medical Services, Seventh Medical Battalion Group. We were then instructed to move into the Kruger National Park, into a specific camp and we had to wait,

where we would have been met by Dr Davies. We moved out equipment into the Kruger Park and waited at this particular camp for Dr Davies. He arrived late afternoon, they flew in with a South African Air Force helicopter ... (intervention)

MR VALLY: Just so we don't get confused, this Dr Davies, who is this?

MR LOURENS: Dr Brian Davies was the man, he worked at a - he's a medical doctor, he was working at a company called Lifestyle Management and he acted as a consultant for the South African Medical Services on biological and chemical warfare issues.

MR VALLY: Lifestyle Management, was that also a front company?

MR LOURENS: It was also a front company, yes.

MR VALLY: And this is Brian Davies, as opposed to Mr James Davies.

MR LOURENS: Yes, he's Brian Davies.

MR VALLY: Fine, sorry, please go on.

MR LOURENS: And then Brian, they flew in by helicopter and Brian had with him, as far as I can recall three or four individuals from Mozambique. These individuals were Government individuals, and they were there to accompany us on this verification exercise, to look for the site. We slept the night, we got up the next morning and we early morning packed out and got ready for the verification exercise, and we moved out, we drove out into an area alongside the fence between the Kruger Park and the Mozambican Border. We got into the helicopter, we flew a distance, we came back and that was it. We went no further. It was said at that stage, and there was difficulty communicating with the Portuguese speaking Mozambican individuals is that the site cannot be identified, the territory is sort of the same everywhere and we packed up and we went home, we had a cold drink and we went home, that was it.

MR VALLY: Was any report done?

MR LOURENS: Apparently there had been a number of reports done. I didn't see any of it, of the reports, but the South African team, we were not the only team, there was another team, I think from the UK, and another team from either France or the Netherlands, that investigated the same incident. Brian Davies definitely did generate a report, but I never saw the report, no. We did not collect any substances, we didn't perform any science at that point.

MR VALLY: Did you determine what the chemical incident was after you went to the Kruger Park?

MR LOURENS: No. What happened there is that this is that you know, we were not fully briefed in terms of the incident, the apparent situation or discussion or allegation was that it was an aircraft that flew over from the South African territory into Mozambique, disposed of a substance and a variety of variations was explained here to, and a number of soldiers, by that time identified to be soldiers, was in actual fact killed. The aircraft in itself, there was more than one story of what it was, one was that it was a remotely piloted vehicle, the other was that it was a small aircraft, but in terms of the conclusive evidence conclusive, finalisation, I don't know, I was not made part of it.

MR VALLY: Do you have any knowledge of any chemical substance other than these screwdrivers, walking sticks, etc we're talking about, which were used on people?

MR LOURENS: No, Mr Vally.

MR VALLY: At some stage, you left SRD.

MR LOURENS: Yes, I left SRD and I then went to Protechnic and then I left, eventually I left Protechnic, yes.

MR VALLY: Are SRD and Protechnic separate companies?

MR LOURENS: The chemical defence part of SRD became Protechnic and it grew into a full scale chemical defence facility, currently owned by Armscor.

MR VALLY: Was it also a front company?

MR LOURENS: Yes.

MR VALLY: Protechnic?

MR LOURENS: Well, it was a front company in the sense - no, let me rephrase that, it was a front - it didn't belong to Armscor and our shareholders were private, but the private shareholders were me, the company Sharburn(?) based in Luxembourg and Medchem, Medchem being the company that was run by Dr Philip Mijburgh then and Medchem was the holding company of Delta G, etc, etc. So as far as the majority shareholder was concerned, it was still Medchem which was, as far as I'm concerned, a front company.

MR VALLY: I see. Sorry, where does Medchem fit in, I thought the holding company was Infladel?

MR LOURENS: No, it changed. What happened there is that over a period of time the biological and chemical programmes were separated in full, and Roodeplaat functioned on its own, acquired its funds directly from the South African Medical Services and Delta G functioned on its own. Delta G happened

to have developed a holding company, they called the holding company Medchem, and within this group there was a number of other companies there, for example Lifestyle Management was in this group, there was a company called Kowolsky International, there was a company called Medchem Pharmaceuticals, so there was a - it was a small group of companies.

MR VALLY: Just SRD, to your knowledge, how much money was put into it between the period that you were there?

MR LOURENS: Mr Vally, off the cuff, I would say the company costs roughly two, two and a half, three million rand per year to run. Protechnic was a different ball-game. Protechnic when we started operated the Armscor then funded projects. We started off with total projects of about four, four and a half million per annum and it ended up in the vicinity, as far as I can recall, about eighteen, twenty million, but I must please tell you, sir, I'm not accurate on these figures.

MR VALLY: In your conversations and dealings Dr James Davies, were any other delivery mechanisms other than the screwdrivers and walking sticks, syringe type mechanisms, were any other mechanisms discussed regarding delivery of poisons?

MR LOURENS: Not discussed. One of these typical sort of corridor discussions, mention was made by James of poison being introduced into cans and alcohol or bottles, I shouldn't say alcohol, because I'm not sure what it was, whether it was an alcohol bottle, and as far as I recall that particular discussion it was James that was in actual fact responsible for it for the transfer of the chemical substances into the cold drink cans and/or bottles that was discussed.

MR VALLY: And these were sealed cans or sealed bottles?

MR LOURENS: I assume so, Mr Vally.

MR VALLY: There's another issue that I want to raise with you regarding certain requests you had for the production of weapons by a foreign purchaser. Can you talk to us about that, tell us what it was all about and how you were introduced to the person?

MR LOURENS: I had - I interfaced on three occasions with weapons systems or potential weapons systems for foreign entities, individuals. The first case it was my partner at the time in Protechnic, Charles van Remoortere had a potential customer. I know him as Mr Mombar and he wanted a binary weapon developed. Binary weapon is a weapon that you'd have two chemicals that

would be separated in some sort of a, let's call it ammunition for lack of a better term, word, and once you fire this, the two chemicals would mix by whatever mechanism and there's a lot of mechanisms that can be utilised herewith, and as the shell explodes it delivers the toxic substance. So we worked on this concept in actually developing the shell and the two chemicals, it's a substance called VX, and that was it.

MR VALLY: What is VX?

MR LOURENS: VX is a nerve agent. It's a binary nerve agent. The unit was given to Charles, I left, and as far as I know the programme never went anywhere. It was developed mentally, it wasn't proven ability, it wasn't proven skills, it was really just, we were looking at the concept, and we never really got to the point of having a workable solution.

MR VALLY: This binary weapon, did you supply the VX as well?

MR VALLY: We manufactured the chemicals at Protechnic.

MR VALLY: And this person called Mr Mombar, do you know who he represented?

MR LOURENS: Absolutely no, I have no idea, I never met the man, I never made contact, my partner made contact with him.

MR VALLY: Do you have any - can you speculate in view of your informal discussions with your partner possibly?

MR LOURENS: I know he was met in Europe, but I - that would be impossible for me to speculate in terms of where - we never discussed it to the extent that I would be able to make a deduction or speculation in terms of his nationality.

MR VALLY: Did you ever get consent or report this to anyone within South African ...(intervention)

MR LOURENS: No, absolutely not.

MR VALLY: Military structure?

MR LOURENS: No, no, I discussed it with nobody. It was an internal project. I didn't discuss it with any of my military colleagues.

MR VALLY: So there was a binary prototype with VX which was in fact sold to some foreign person?

MR LOURENS: No it wasn't - as far as I know it was never actually sold. You know, I at that stage left the organisation and as far as I know it was never -

due to the fact that it was developmental technology it wasn't proven technology, it was never sold.

MR VALLY: Was it delivered?

MR LOURENS: Not that I know of. As far as I know, no.

MR VALLY: Where you head-hunted by anybody after you left Protechnic?

MR LOURENS: What happened is, as I left I was approached by a man by the name of Ters Ellers. Ters Ellers requested a meeting with me at his offices. I went to his offices in Sandton. I met with a man by the name of Shloogie. We discussed a number of issues, and it was quite evident that he was interested in acquiring chemical and biological technology. I met with him on a number of occasions, trying to define exactly what he wanted. Finally it was clear that the man basically wanted - he was Syrian, and he was quite open about it, he said to me he was from Syria and he wanted technology for Syria. He went as far as enquiring whether having left the company if I thought it was possible for him to purchase Protechnic, which of course it wasn't. He wanted to know if I could introduce him to key scientists, because I'm not a chemist, you know it was difficult for me, synthesis for example I could make absolutely no contribution to his requirements, whether there was any interest and could I assist him in finding the necessary people. I introduced him to one individual, I introduced him to Dr Andre Immelman, and they had certain discussions, and I wasn't party to those discussions. Once I had introduced Dr Immelman, that was it. As far as I know Dr Immelman did travel to Syria. On the chemical side I introduced him to nobody, I just backed off and left him. That was it.

MR VALLY: I'm just curious about one thing, you have a number of foreign people involved with the project, for example Mr van Remoortere, he's Belgian, why were they allowed to have part ownership of companies which had the ability, even though in small quantities, but to manufacture chemical agents, was there any kind of procedure by which they were vetoed?

MR LOURENS: It was abnormal in terms of the security system at the time, it was totally abnormal, you know, in that particular area if you were not white, Afrikaans, male, you could not have been vetoed, or highly unlikely. Charles's situation was different in the sense that Charles allowed us access into Europe and access into particular technologies in Europe, and I, you know, their security system was quite a rigid system at the time, so I assumed that Charles was vetoed, nevertheless, the fact that Charles eventually became the owner of Protechnic, even by today's standard would be abnormal, it would be strange,

but it happened and it was done with the support of the project office at the time.

MR VALLY: Did Mr Bart Hetima do anything more than just pack substances into aerosols?

MR LOURENS: Not that I know of, but Bart Hetima had a long history of association with the South African Police and I know that at various stages he did various different types of jobs for the South African Police. Bart was very close to General Neethling, but I'm unfortunately not able to give you specifics in terms of particular other projects that he ran for the South African Police.

MR VALLY: Did you at any stage raise your concerns about the kind of things you were asked to do with any senior military people, or politicians?

MR LOURENS: Yes, I - that had been a number of incidents and I had to incidences where I discussed the matter with firstly, Dr Basson. Just after the incident of my handing over the screwdriver in London I was on a train, I got onto a train between London and Ascot and it was co-incidental that Dr Basson was in the same train. It's not the same trip, it's a completely different trip, but it's subsequent to it, and I sat down with him, I asked him, I said to him doesn't it bother him, and how does he justify, how does he sort of make peace with himself. His answer to me was quite clear, and in Afrikaans he said to me "Ek het my saak uitgemaak met die Grootbaas, wat jy doen is jou saak" he's sort of been able to settle his mind, his relationship with God and whatever, if I hadn't it was my baby. I once again later had a brief discussion on this issue with him and we actually didn't even discuss it. I raised it and it - we didn't go into discussion, it was sort of an old subject. Just before I left the organisation, I made an appointment to see General Knobel. I was, I just felt that the project was going wrong, it was going to strange directions. Once before when I'd asked Wouter on a particular aspect, and I would lie if I would tell you what the aspect was, because I can't remember, I asked him whether the Surgeon General knew about this, and he was really annoyed with me for even asking him whether the Surgeon General knew about this, so I went to see the Surgeon General and I said to him, but you know - I asked him, I said do you bear knowledge of these chemical weapons, these applicators as you call them, that we were being manufacturing, and there was a money aspect at concern, I mean the life that was being lived by the project group, inclusive of myself, was an abnormal life, I mean it was a life of great luxury, and this great luxury varied from person to person, but nevertheless. And General Knobel replied to me, he

said I had to bear in mind that as far as the offensive is concerned he bore no knowledge of it, it's not his project. Wouter had another reporting line. As far as the other aspects was concerned, money, etc, etc, it was something that he would look into, and that was it. When I - when Charles bought into the company, what happened was the following, is Charles never knew of my running the so-called screwdriver project and Charles's auditor/bookkeeper stumbled onto this unknown fund, these payments and he questioned it and I simply said to him is that I am not going to disclose to you what it was about. Being a businessman he insisted on knowing what it was, and I just said to him, I'm going to have to talk to my senior officers about this and I'll come back to you. I'll talk to the people. At that stage, unfortunately, my relationship with my colleagues was not a comfortable one anymore. I had to a large extent made up my mind to leave. I did approach Philip and Wouter and I must again be quite honest, I cannot recall whether it was Philip or Wouter, but I had no joy, and I decided to be arrogant enough and just go and see the Minister of Defence.

MR VALLY: Just before you go on, when did you tell

General Knobel about the Surgeon General, when did you tell him about the offences?

MR LOURENS: It was late '92, early '93.

MR VALLY: And his response was it wasn't his project.

MR LOURENS: It wasn't his project. Offensive stuff was not his project and he didn't know about it and he quite frankly didn't want to know about it.

MR VALLY: Okay, go on.

MR LOURENS: I approached a friend that was a university with the then Minister of Defence, Mr Roelf Meyer. We got an appointment the next morning. We flew down to Cape Town. I briefed my friend. The Minister wouldn't see me, but he saw my friend. He discussed the situation with him, and he referred us back to see the Surgeon General that afternoon. We flew back to Jo'burg, we saw General Knobel that afternoon at 16h00. General Knobel just said to us, guys I'm not going to talk to you, you going to have to see General Kat Liebenberg, then Head of the Defence Force, and we went to see General Liebenberg. We arrived at his office, and he said to us there's no story to be told. His words were, "You must remember those toys are mine, I want them back" and that was it.

MR VALLY: What was he referring to?

MR LOURENS: He was referring to the screwdrivers, because I discussed the situation, when he reached his point, he'd already been briefed, when we reached him he had already been briefed about what the situation was and then there was no issue in terms of money, he was aware of the screwdrivers, he was aware of what I had done, of the stuff that I had been involved in and we had two whiskies and we went home. And that was it.

MR VALLY: When was this?

MR LOURENS: '93, February/March '93.

MR VALLY: When he asked you for his speelgoed, his toys, had you had possession of it?

MR LOURENS: Yes, at that stage, what I had in my possession was a number of screwdrivers, the two OMO boxes, the sheet explosives, in other words the stuff that Phil Morgan gave me, the stuff that Danie Wahl gave me. The sequence of events was the following, I left, I had a meeting with Charles one evening and he asked me, I at that stage has resigned, he asked - I resigned and I said I was willing to stay on for a sixth month period to hand over to whom ever. Charles asked me to vacate my office the next morning, and I vacated my office, but I removed all of the equipment that I had, all of the weaponry, and I - at that stage we owned a farm in the Northern Transvaal at a place called Steenbakpan. You know, I was very uncomfortable, and I dug two holes and I buried everything in the two holes, and I left it there. Then, last year, I decided to tell the story. I, after I had discussions with Dr Tobie Pretorius of the offices of the Attorney-General in the Transvaal, and he requested me to go and fetch to stuff, and we went back and we fetched it. We were able to recover the screwdrivers. All of the explosive devices were in a total state of decomposition and very unstable, and they decided to detonate after having taken photos, to detonate the equipment on site, and I obviously gave it all to him then.

MR VALLY: Are you aware of any other sales besides the prototype of the binary chemical weapon to foreign buyers?

MR LOURENS: No, Mr Vally. You know, at the time that I left there, there had been one technology agreement with Taiwan. I was party to the initial stage in which we were transferring or negotiating the transfer of testing facilities. Testing, meaning defensive equipment evaluation testing and so forth

to Taiwan, and that project was as far as I know finalised and executed between Armscor and Taiwan and executed fully, but I don't know the details thereof.

MR VALLY: Did you ever see any experimentation carried out on baboons with teargas.

MR LOURENS: Just once.

MR VALLY: Can you tell us about it briefly?

MR LOURENS: Mr Vally, it was right at the beginning. It was as far as I can recall, it was CR. It was applied as a sort of a grenade to the baboons in the very original set-up at Roodeplaat Research Laboratories, and that was it. It was a - it wasn't a fantastically scientific experiment in the sense of particular measurements or blood samples being taken, or whatever the case may be. But, I did not stay the total experiment, so they may have done it afterwards, but that was my only exposure.

MR VALLY: Just very briefly you say the original set-up, just, was it the restraining - the box ...(intervention)

MR LOURENS: No, no, it was in the open.

MR VALLY: So what happened, just very, very briefly?

MR LOURENS: Just very briefly there was a cage, there was a baboon in the cage, this smoke grenade was chucked in the cage and it released the teargas. That really was the extent of the experiment. I never witnessed any experiment in terms of baboons or other animals in the contained environment that existed at Roodeplaat Research Laboratories, and that was really the serious scientific stuff. I never worked with any of those.

MR VALLY: There were a number of animals kept at the Roodeplaat Research Laboratory?

MR LOURENS: Yes, there was a number of dogs, there was a chimpanzee, there was a number of baboons kept. I don't know if they ever worked on the chimpanzee, but I knew the worked on the other animals, yes.

MR VALLY: And the restraining chair was used for these animals in the gas chamber as far as you're aware?

MR LOURENS: The restraint chair was used for the baboons.

MR VALLY: Thank you, Dr Lourens.

MR LOURENS: Thank you, Mr Vally

CHAIRPERSON: Just before you go onto cross-examination, can I just clarify something in my own mind. Did you say that after you met General Knobel in 1992, firstly, was his attitude if I can summarise it, one that said that was not his project and got the impression that he just didn't want to know.

MR LOURENS: Mr Ntsebeza, Dr Knobel had always been very accommodating in terms of listening to me, etc, etc. It wasn't an arrogant or aloof attitude, in other words, he didn't sort of dismiss me and say listen, go away, it's not my project. He listened to me and he said quite clearly to me that as far as he was briefed this was outside the scope and he didn't - it wasn't his project. Dr Knobel never said to me, I know nothing, I don't want to know about it, go away. If I created that impression, it was the wrong impression, he didn't do that at all.

CHAIRPERSON: But in the end, that was if one could summarise his attitude, I take the point that he was not, you know, arrogant and dismissive, but in the end you got the distance impression that he didn't want to know, he didn't want to discuss this thing.

MR LOURENS: True.

CHAIRPERSON: Right. Now, the Minister you went to, did I get you correctly that it was Minister Meyer?

MR LOURENS: Yes, it was Roelf Meyer.

CHAIRPERSON: Roelf Meyer. And, had you indicated to him, if you recall, what it was that you wanted to talk to him about?

MR LOURENS: Yes, I went to this common friend, a lawyer, and I just said to him, well you know, there's - I have this problem. I had spent funds from a company, I'm - my partner is now questioning what had happened to these funds, and I'm not in the position to disclose what I'd done with the funds. I'd - and the lawyer friend obviously said, but what did you do with the funds, and I told him about the screwdriver projects and the walking sticks, etc, because I had to take him in my confidence, and then ...(intervention)

CHAIRPERSON: Are you saying in substance you told him more or less about the screwdrivers, what you've told this Commission here?

MR LOURENS: Yes.

CHAIRPERSON: And your impression - and you did that because you wanted it to be conveyed to Minister Meyer?

MR LOURENS: Absolutely.

CHAIRPERSON: And was it his response - did he respond to you in any way?

MR LOURENS: Well, he didn't meet wit me. What happened is that I waited in the foyer, my friend went up to see the Minister. He spoke to the Minister and explained the matter to the Minister, and of course what I'm telling you now is hearsay, and the Minister then immediately said go back to General Knobel, and we saw him that afternoon.

CHAIRPERSON: And at what stage did you meet - was it General Knobel you said, or General Liebenberg?

MR LOURENS: No, we met General Knobel and then when we arrived he said, gentlemen, this is not my project, this is not in discussion with me, you're going to have to carry on to General Liebenberg, and we then went to see General Liebenberg.

CHAIRPERSON: And it was he who said "daai speelgoed"?

MR LOURENS: Yes. What then happened in terms of the, just to clarify the situation as far as the financial aspect was concerned is that the next morning, or very soon thereafter, General Knobel in turn discussed the issue with Charles and said forget it and leave. And that was it, that was the end of it.

CHAIRPERSON: I see. Cross-examination? Mr van Zyl

MR VAN ZYL: Thank you, Mr Chairman. At this stage I am not in a position to cross-examine for the following reasons, this morning I spoke to Mr Vally together with Mr Chaskalson, specifically regarding the matter of incriminating evidence against any of my clients. What was told to me was to the effect that they are not specifically aware of witnesses because they have not been given statements from witnesses such as, for example, Dr Lourens that has testified now. Statement was given to us of Mr Andre Immelman. I understand that he will not give oral testimony. The summonses that they have received, there is no notification that my clients have been implicated. As a result, there is no preparation that has been done in this regard. I have not consulted with my clients. The evidence, 80% thereof that I have heard here today, from Dr Lourens, are aspects of which I only became aware for the first time, and I do not know whether my clients have any knowledge of this. As a result of this I am in the position that I am going to request from you, Mr Chairman, that I be given the opportunity to consult with my clients in this regard to take instructions from them. As I've indicated to you, I do not want to say that there is going to be cross-examination, it depends on my instructions. These specific

aspects have not yet been discussed with my clients and I ask for an opportunity to do this with them. Thank you.

CHAIRPERSON: Thank you, Mr van Zyl. I do not know if you were placed on the record.

MR CILLIERS: Yes, I have been placed on the record, and I have no questions.

CHAIRPERSON: No questions, thank you. Mr du Plessis?

MR DU PLESSIS: We are unaware of certain aspects and I am also reserving Mr Knobel's right until I have discussed it with him.

CHAIRPERSON: There is an indication that these legal representatives want to reserve their rights on the basis that have been set out. What's your attitude?

MR VALLY: I have no objections to them reserving their rights for a limited time also depending on Dr Lourens' availability and his attorney's availability. I do confirm that Mr van Zyl and I had that conversation. I believe that we have complied with our legal obligations. I'm not sure exactly which client I'm talking about, but if you talk about Dr Wouter Basson, if you look at item 18 on his subpoena, we say,

"the planning and/or execution of operations directed at the assassination or incapacitation of persons by the use of poisonous substance or any other means."

I also refer to TRC 96, a document which we gave to Dr Basson and therefor to his attorneys. We've talked about the problems of the screwdriver which wasn't shooting out enough of the assumed poison. Clearly we have raised - we have met our obligations in terms of Du Preez v Van Rensburg, page 41. I'll just read the relevant part,

"He or she's at the same time informed of the substance of the allegation against him or her with sufficient detail to know what the case is all about. Application of poison or mechanism not being properly effect."

If that's not a substance of allegations, what is? But I don't have an objection to their requests, dependant on Dr Lourens' legal representative. Thank you, Mr Chairman.

MR BORAINÉ: Mr Chairman, we would obviously want some idea as to when they will be ready. I don't think that Dr Lourens should have to sit here day after day waiting for the moment when counsel are now ready to cross-examine him. They must indicate and say look, we'll do it tomorrow or we'll do it on

Wednesday so that he can then make himself available for that cross-examination, but we need to know when it's going to be.

CHAIRPERSON: And I think it is fair to say that even from the Commission's side, this hearing is scheduled for this week. We are constrained, as everybody else knows, to bring to Commission to a conclusion. Mr van Zyl, do you have an ability to indicate when, that would go for Mr du Plessis as well, when more or less in the week, is it possible to indicate in the week preferably when it will be possible for you to examine cross-examination.

MR VAN ZYL: Thank you, Mr Chairman, of course we will try and inform you as soon as possible. I am in a position to make contact with my clients. I can get instructions during the course of the evening. There's only aspect that might be a bit of a problem, although I have made notes, during the evidence of this, I will have to depend on my notes in order to inform my clients what the exact evidence against him was. It would have been of course of great help if we could have had the record of the proceedings very soon, I don't know how soon it is available, and how soon can get it. If it's at all possible that we can get it within the next day or two, because that will help, if not and you inform me that it will only be available, say for example next week, we have to deal with the problem with what we have at our disposal. We don't want to delay any of your proceedings here, for any purpose whatsoever, but we will in the meantime with what we've got at hand advise our clients and give them what we've got and get instructions from them. I can suggest that my attorney who is present maybe get a telephone number of Mr Vally or someone that we can maybe call after-hours or whenever and then we can give an indication, and I can assure you that we will do it as soon as possible. It's unfortunately not possible for me at this point in this to tell you we will be ready tomorrow, or the day after tomorrow, or whenever, before I've got instructions from my client.

CHAIRPERSON: Mr Currin, can you indicate?

MR CURRIN: Mr Chairman, what I would suggest is that Dr Lourens be excused today, and that I'll be here the whole week, that we be given 24 hours notice. Say for example they feel they going to be ready to do him on Thursday, on Wednesday morning they must say to us we can cross-examine tomorrow, I'll get hold of Dr Lourens, and he can fly back to Cape Town.

CHAIRPERSON: I think it should be a sort of triangular arrangement. It should also incorporate and involve Mr Vally.

MR VALLY: Oh, absolutely.

CHAIRPERSON: So that he can slot it.

MR DU PLESSIS: Mr Chairman, I don't have an objection. This is an agreement we will abide to and ...(indistinct) will also abide to that decision.

CHAIRPERSON: Now, the panel, before I ask members of the panel to put questions to the witness, may I just find out if any of the legal representatives is representing General Lothar Neethling.

MR CILLIERS: Mr Chairman, I'm also - he's also one of my clients. Just for the record again, it's General Neethling, Drs Swanepoel, Mijburgh and Basson are my clients. Mr Du Plessis is here for General Knobel.

CHAIRPERSON: Okay, and your remarks would therefore include Dr Neethling.

MR CILLIERS: Yes.

CHAIRPERSON: Any members of the panel. Dr Borraine?

MR BORAINÉ: Thank you, Chair. Dr Lourens let me start with the point of departure that the Chairperson himself went onto, in connection with your discussion and attempts to contact the then Minister of Defence, the then Surgeon General and the then Head of the Army, General Liebenberg. Now, clearly when Charles van Remoortere bought into that company, this really spilled the beans in so far as you had to give account of what had been happening, where the money had been spent, is that right?

MR LOURENS: Absolutely right, Dr Borraine.

MR BORAINÉ: Thank you. This clearly must have sent alarm signals in your own mind because after all, you had to account for it, and I assume it was for that reason that you decided that you'll really have to talk to the people at the very top so as to get an indication of exactly what you could say and how you could explain it and so on, is that right?

MR LOURENS: Yes, Charles and I had been very close and we've worked very closely together for a long period of time, and at no stage was any aspect of the project discussed with Charles from my side. If Charles had been briefed by anybody else in terms of this type of work, and he could have been briefed by only one or two individuals, he never made it visible, so we never discussed this part of the project, so at the time that the money issue became available, of became known, it was quite obvious to me that it was news to him, or new to

him, and yes, I was frankly petrified at that stage, because I didn't know where to go to.

MR BORAINÉ: Thank you. What sort of sums of money were involved?

MR LOURENS: I can't recall exactly, but it was in the vicinity of R190 000.

MR BORAINÉ: So that's more or less the kind of costing for the screwdrivers and other ...(intervention)

MR LOURENS: It was all the projects. It included a few trips to Europe for example, the walking sticks and umbrella and so forth to not to be able to trace it back to South Africa, and that was purchases especially for the particular project. So yes, it was for all those applicators, if you want.

MR BORAINÉ: And Dr Lourens, you must have known that those walking sticks were not meant for walking, or the umbrellas for the rain, I mean you must have been pretty, pretty upset, or disturbed or agreed with the need to supply to someone, we assume assassins, the necessary cover weapons so that they could use them in - to assassinate?

MR LOURENS: Dr Boraine, I had at not stage been under the illusion that it was for anything other to assassinate human-beings, fact, there's no ways one could even contemplate that excuse. On the other hand is, there's I never applied my mind in that era, and I must be quite honest with you, in terms of who it would be applied to. It's something that I - in hindsight it's a strange experience in not looking back and actually questioning and saying, but who would be applied to, there's wasn't a face that I could attach it to, or a republic enemy that publicly ...(indistinct) would say that this is potentially ...(indistinct), and I didn't question it. And I'd like to be able to say to you yes, I went through the moral - I went through the total moral process in terms of thinking it through at the early stages, it doesn't happen at a late stage.

MR BORAINÉ: Alright, and precipitated by the fact that you now suddenly going to have to explain what this fund was and what this account was all about, you've already said that that is the case, now your friend who is a lawyer, have you given that name to Mr Vally at all, do we know who that is?

MR LOURENS: Well, his name is Kobus Bekker.

MR BORAINÉ: Thank you. And Kobus Bekker was someone that you could confide in and you asked him to gain access to the them Minister?

MR LOURENS: Yes.

MR BORAINÉ: Yes, but the Minister said no, he wouldn't see you, but he would see Mr Bekker?

MR LOURENS: What happened there was is that after I'd consulted with Kobus he contacted the Minister and we flew down that same evening to Cape Town and until we actually went to the Minister's office, I had been under the impression that I would see the Minister. He went in, and I really have to recall, I'm not all that clear, he went in and he had a discussion and came back and said, listen the Minister is not going to see you, wait, and he went in to discuss the - but he had all the data, the details etc with him, yes.

MR BORAINÉ: And in substance, what the Minister said, well, this is not something I know anything about, or I can't deal with it, go and see the Surgeon General, is that right?

MR LOURENS: The way in which I recall it was that the Minister said that he bore no knowledge of this project at all and that it was - he would open the way for us to talk to people that may be able to give some sort of a clear direction on this project, yes.

MR BORAINÉ: So you went then to General Knobel?

MR LOURENS: Yes.

MR BORAINÉ: Just tell us again, very briefly, you obviously must have told him that you had been through your friend to see the Minister and that you're now seeing him and that this plot had been uncovered, if you, and you were concerned, and what did he say to that?

MR LOURENS: By the time that he had arrived at his office, it was quite obvious that the Minister had already spoken to him. He knew exactly why we were there. He received us in the manner in which he always does, cordial, we may even have had a cup of tea, and he basically said to us that this particular project is outside of his scope of control or jurisdiction and we would need to see General Liebenberg, and he set up the appointment for us.

MR BORAINÉ: And he was in no way sort of worried about the fact that you were worried or concerned, or that you'll maybe cause an embarrassment to anybody else?

MR LOURENS: Not that I can recall, but I must tell you, I was reasonably pre-occupied with myself at that point, I wasn't particularly sensitive to other people's ...(indistinct)

MR BORAINÉ: Yes, that's understandable. And then you had the discussion and a couple of whiskies and quite a pleasant chat with General Liebenberg?

MR LOURENS: A very pleasant chat, it was - we in actual fact didn't discuss it at all, we didn't discuss the project, the toys at all. He was briefed, I told him what it was in terms of screwdrivers, etc, etc, and that was it, and we did not discuss the details when we were going to go to, what we were going to do, what was going to happen, and he just said, forget it, it's over, don't worry, I'll handle it, and that was it. It was as simple as that. And very cordial, very well received.

MR BORAINÉ: Now, did you actually believe him, that he was going to handle it, and that was that, the problem was over?

MR LOURENS: I desperately had hoped so, yes, I did believe him.

MR BORAINÉ: And yet you went along and buried it, why didn't you give it back to him then?

MR LOURENS: Well, you know, I wasn't going to give anything back to anybody until I've had some sort of proof. I mean, by that stage, my - the extent of my disillusionment was number 1 myself, and second the sort of environment that I was operating in with was to such an extent that I'll be honest with you, at one stage I thought that I was going to land up in jail, I thought this is it, I'm going to be caught with this horrible stuff, I won't be able to justify, there's money missing, jail, jail's it. So it was to a certain extent a trump card that I decided to bury.

MR BORAINÉ: So you took out some insurance?

MR LOURENS: I took out some - it was the proof of that particular project.

MR BORAINÉ: Okay, so not to push the point, but you didn't really feel that Liebenberg, General Liebenberg could really solve the problem and deal with it, even though he had given you that assurance, otherwise clearly you would have said, well that's fantastic, let me hand the stuff over to you and you deal with it.

MR LOURENS: I think what we need to bear in mind is that, you know, during '93 a lot of things had changed in this country and things really started to move, and I did not feel that I had this unqualified promise that would be kept at all costs, no, so yes, there were some reservations from my side, and as a matter of interest, this is that the final conclusion thereof in terms of that I was never phoned by anybody that said, listen, it's okay, don't worry, it's all over. I was

just not - it was never discussed with me again, so I just kept my evidence hidden and that was it.

MR BORAINÉ: You will appreciate, Dr Lourens, that one could ask an enormous number of questions, but I do have colleagues that are also dying to ask questions as well, so let me not take that any further, and just conclude by asking, two much more briefer questions. One, you talked about the other thing that disturbed you after a while, and that the was the life of luxury that the project team enjoyed. Now, was that in terms of salary, or houses, or cars, or what, what sort of lifestyle was that?

MR LOURENS: Dr Boraine, I cannot reply in terms of salary, other than my own, but it was a very comfortable life that we lived in the sense that we travelled - all of us travelled to Europe frequently, perhaps even excessively so. We always travelled business class, and in certain cases, people even travelled first class. We stayed in excellent hotels at all cases, we had a good lifestyle. I earned a reasonable salary, I earned a good bonus, bonus as a function of profitability of Protechnic especially, and in terms of the life that we were living, I obviously have had to measure myself, and obviously my colleagues, in terms if my peers, and it was a comfortable life, yes.

MR BORAINÉ: Last question, you mentioned your visit overseas, which clearly was a distressing experience personally. You mentioned that you met Trevor. Was he South African?

MR LOURENS: Yes.

MR BORAINÉ: What sort of age and description, I mean how - what is your recollection?

MR LOURENS: Trevor was at that stage I would have judged him about 45, greyish, shortish man, no distinct features, not a big nose or whatever the case may be. South African in terms of, I judged him to be South African in terms of his accent, we spoke Afrikaans, so he was South African, and his clothes, I mean, when I saw Trevor at the station, he was South African.

MR BORAINÉ: Just one other question about this whole handing over what of course was a deadly weapon, as you yourself experienced, did it occur to you either during or after that time that you were travelling specifically to Europe with this weapon in your possession that you were going to hand over to someone, dit it occur to you that, you know, he must have been an agent who was going to use that one someone in Europe? I mean, did you discuss it with him at all?

MR LOURENS: No, it did occur to me, and it's not the type of occurrence, you know, to manufacture the screwdrivers and hand it over to a scientist whose going to test it and evaluate it, is really, it's at arm's length, it's not an issue, it's not an interlace with somebody who would pretend to you, this is my first interface with - and I knew it, with somebody that would potentially kill somebody else, and it didn't dawn on me until I actually woke up after the poison exercise, and then it was real. I was in England for a few days thereafter, and I can't remember how many days, and I remember very well buying every single newspaper that I could my hands on to try and find out, you know, had somebody died mysteriously, and so on. So, yes it - I was very aware of that aspect then.

MR BORAINÉ: And that was in when, what year?

MR LOURENS: About '92.

MR BORAINÉ: Okay, thank you very much.

CHAIRPERSON: Thank you, Dr Boraine. Any other questions? Dr Orr?

MS ORR: Dr Lourens, the question that I'm going to ask is perhaps not easily answered, and I ask it because part of the TRC's mandate is to attempt to understand the perspective of people who were involved in human rights violations, and although you yourself were not directly involved, I think you yourself would acknowledge that you were most certainly involved. And I ask, what kind of environment, background, education produces a scientist, and you are a scientist, who does not question what were undoubtedly very dubious assignments, who does not ask for what purpose his research is going to be used, who even when it becomes blatantly obvious from the poisoning episode, that science is being perverted for abuse? How is it that such a person is, doesn't take any action? How was it that you didn't question, what was it about the social environment that enabled you to simply carry on and close your eyes, until really quite late in the whole process?

MS ORR: Obviously, you know, once you're out of the system and you look back, you ask the questions, you'll have to ask yourself these questions ...(tape ends)

MR LOURENS: The first issue is that the performance of science is a drive in itself. If you look at the manufacture of a chemical substance, difficult synthesis. At the end of the day it poses a challenge. What the substance is may to some extent be irrelevant, whether it's a protein or a poison it's a complex chemical substance, and you would often find that scientists have a particular

focus towards this particular end goal, this objective in achieving that, without thinking of its application. It's like nuclear fusion. Nuclear fusion is a phenomenal, it's phenomenal science. And a scientist working on nuclear fusion is not necessarily going to have the atom bomb in mind. And unfortunately I think it's a character of individuals as scientists to often not think about the application or the consequence. That's the first part. I mean that's the easy part.

The second part is that why don't we question, why didn't I question? Unless you've been in that system you wouldn't know, and the manner in which we operated, within that system, you know we have this term which we call **the need to know basis**, and it was an excuse utilised by the system to not tell you. And you become used to it. You simply just live in this environment. I lived in that environment for four, five, six years where I knew quite well, being an intelligent individual that I was seeing a small segment of a big picture, and I believed that the people that knew what was good for me, and thus would expose me to the right things at the right time. It's a naive, it's a practically stupid approach. But that was the way it went. And it doesn't happen overnight.

You know a scientist is not taken from university as a bright young lad and said tomorrow morning you will start manufacturing chemicals to kill people. It just doesn't happen like that. It happens over a period of time and all of us have been gradually drawn into the system and over a period of time questioned less and less and less. Those were the harsh realities of it all. It's not just a fable I know, but this is the way it happened. I don't know if I have answered your question.

DR ORR: It is a difficult question to answer, you have gone some way. Thank you.

One more question. When you decided to approach the Attorney-General and/or the Truth Commission did you discuss this decision with any of your colleagues, Knobel, Basson, Mijburgh, Swanepoel?

MR LOURENS: Dr Orr can I make a statement, please. I take grave offence to the statement made by the gentleman on my right by calling me a **martel gat**, and I expect him to withdraw that immediately.

CHAIRPERSON: Was that said now, here?

MR LOURENS: Here directly now, a few seconds ago.

CHAIRPERSON: Who is the gentleman?

INTERPRETER: **A martyr.**

MR LOURENS: Defending Gen Knobel.

CHAIRPERSON: Mr du Plessis.

MR DU PLESSIS: It wasn't meant to be offensive. I withdraw it.

CHAIRPERSON: Did you say that?

MR DU PLESSIS: I made a remark to Mr van Zyl.

CHAIRPERSON: Did you say that in these proceedings?

MR DU PLESSIS: Yes I said it.

CHAIRPERSON: **Martel gat.**

INTERPRETER: **A martyr.**

CHAIRPERSON: Did you say he was a martyr? ...that we take these proceedings seriously. Mr du Plessis I don't know where you come from. I respect you as a lawyer and as a legal representative. I need to indicate that if you don't display to this Commission the sort of respect that is due to it, but once more if you do not, with due respect, refrain from intimidating witnesses, because whatever you meant, or whatever you wanted to do, that is an intimidation of a witness. And I think the witness has every reason to take offence at what you said, and I think you should apologise to him.

MR DU PLESSIS: I have already withdrawn the statement and I apologise to him.

CHAIRPERSON: I think the Commission reserves all rights that it has in regard to what you have done Mr du Plessis. Dr Wendy Orr.

DR ORR: I will repeat my question. When you decided to approach the Attorney-General with the information which you had and come to the Truth and Reconciliation Commission did you speak to any of your colleagues, your previous colleagues from the project, about it? And if so, what was their response?

MR LOURENS: Let me try and explain something to you. This is despite the attitude of several of the gentlemen on the right, I had a very strong association to my ex-colleagues, and I had an excellent relationship with them, and they had been responsible for a fantastic part of my life, and thus it was very, very difficult to actually turn against them, because that's exactly what I did, and I have no illusions about it.

I discussed it with Brian Currin at the time. I said Brian what am I supposed to do? And Brian said to me, the right thing to do is to phone them and tell them that you've turned State witness or that you are going to disclose the facts.

The first person that I phoned, I phoned James Davies. James' reply to me was, he says that Jan we've met with lawyers, the group on our right, they discussed that they were scientists, they had done nothing wrong; that they were on the right side of the law, so they were not going to apply for amnesty and not disclose anything. At that point I - and I asked him, I said James, had all people been party thereto? And he said Jan, Wouter was there, Wynand was there, Philip was there and I phoned nobody else.

DR ORR: Thank you. I have no further questions.

CHAIRPERSON: Dr Randera.

DR RANDERA: Mr Lourens I want to come to this question of front companies that were set up. I think in the time that we've been listening to you and in the period that we are looking at you must have set up about ten or eleven different companies that you mentioned. Companies that were involved in producing if not destructive, certainly very dangerous substances, biological or chemical. The perception that I have is that all you required was some money and a few scientists of like mind, because you had to be of a like mind to be involved in as exciting as you may say the work was, to be involved in what you were doing, were there no obstacles? Were there no checks and balances even within the period that we are looking at to setting up these companies?

I ask this question because we want to look at the future, and if the same sort of situation pertains today, then I am very concerned, because what is to stop us from doing the same tomorrow what you did in the last ten years or in the ten year period that we are looking at, because I mean you started with Special Ops in 1982 and by the time you finished in 1993 it was almost a ten, eleven year period. Can you give us an idea?

MR LOURENS: I think what you need to do is you need to look at the project in terms of two aspects. The first part is the big project, Project Coast being Roodeplaat and Delta-G etc, etc, which was very formally funded, set up, run, managed and audited, despite the fact that it had come from largely secret funds.

The smaller units, such as the units that I had set up and run, was much more sort-of, there were no fixed structures. You know I didn't have fixed

guidelines from any authority, military or otherwise, in terms of these are the checks and balances. And other than having a private auditor there was practically no checks and balances, no.

DR RANDERA: And would you like to comment as to what these checks and balances should be today, having been involved in the sort of work that you were involved in?

MR LOURENS: I think that there are two issues that you need to take into consideration. The one is an ethical issue and the other one is one of financial application. I think the principle of having large-scale secret funds that are controlled and used by single individuals is extremely dangerous and we've seen it in terms of the wastage.

In terms of the ethical side is that I believe that there will always be a role to play in terms of particular defensive systems and you know in chemical defence, as an example, there will always be an offensive part. You will always look at new generation toxic substances that you need to protect yourself against. But if you have the right scientific balances, and I believe that those scientific balances should be outside the military. They should be in academic institutions that people that can, from a liberal point of view, question what the purpose and what the objectives, what the final direction is. And those checks and balances need not to be totally transparent, in other words it need not be public, but it needs to be transparent to a wider community, which we never had.

CHAIRPERSON: Thank you Dr Randera. Advocate Potgieter.

ADV POTGIETER: Thank you Chairperson. Dr Lourens you gave some idea about the operations that you were involved in, but is it correct that was part of, it slotted into this CBW programme?

MR LOURENS: That's correct.

ADV POTGIETER: Whatever it was called, Project Coast or whatever name was given to it, but it was part of that overall project?

MR LOURENS: Yes.

ADV POTGIETER: Now often in a hearing like this there is a tendency to get stuck in terminology and so on, but can I ask you just for a comment. Taking into account your experience, taking into account the kind of equipment that you said you had assisted in producing, what would your response be to a

statement that this programme, the CBW programme was purely defensive in nature? What response would you have to that sort of statement?

MR LOURENS: I would respond to you and say to you that's typical rhetoric that we've heard on a number of occasions from the previous military dispensation and it's absolute nonsense - unqualified absolute nonsense.

ADV POTGIETER: Was there ever any doubt in your mind that any of these things, any of the screwdrivers, whatever, this whole lot of equipment, that any of this was anything but murder weapons really?

MR LOURENS: No, it couldn't be.

ADV POTGIETER: And that they were clearly intended to be used against human beings?

MR LOURENS: Absolutely.

ADV POTGIETER: And that they had the clear potential to kill?

MR LOURENS: Advocate there is no doubt in my mind that that was the application. So I - and I think any normal human being of reasonable intelligence would have reached the same conclusion.

ADV POTGIETER: And that it seems to me also that they were meant for covert action, for covert operation?

MR LOURENS: Yes.

ADV POTGIETER: Thank you very much.

CHAIRPERSON: Whilst you are on covert operations it has now become notorious or common cause that there was an element of the South African Defence Force called the CCB which was a covert operation. Did you ever have any dealings or links with the CCB?

MR LOURENS: I had dealings with two individuals, Joe Verster and Danie Wahl, very, very briefly. But what I must tell you is that at the time that I dealt with them the name CCB was unknown to me. So I didn't deal with them knowing that they were part of a covert operation. I knew both Joe Verster and Danie Wahl from Special Forces headquarters, and not in terms of their CCB role.

CHAIRPERSON: Yes, no that's just a matter of detail. But it was Joe Verster and Danie Wahl ...(intervention)

MR LOURENS: Yes.

CHAIRPERSON: Joe Verster, as you now know ...(intervention)

MR LOURENS: Yes.

CHAIRPERSON: ...was the Chairperson, or the managing director of the CCB. And do you still recall what sort of encounter you had with Joe Verster?

MR LOURENS: I was introduced, I met Joe and Joe - basically the reason for the meeting was is Joe introduced me to Danie and Danie and I was going to work together on some projects and they never materialised.

In a subsequent meeting that I had with Danie he gave the explosives and the letter bomb devices and so forth to me and that was it.

CHAIRPERSON: And you do not know if any of your "speelgoed" was ever passed on to them for usage in the operations?

MR LOURENS: No, not that I know of.

CHAIRPERSON: You were never the person to do that even if it did take place?

MR LOURENS: No, no absolutely.

CHAIRPERSON: No we have been taking evidence from CCB operatives and there are indications from some of them, certainly one of them who we last heard, that a substantial amount of these chemical and biological warfare chemicals were used by them in the CCB, but you wouldn't be the person to have passed them on to them?

MR LOURENS: No. I never interfaced with the operators. I interfaced with Trevor and that was a single, single incident, and other than that I never interfaced with any of them.

CHAIRPERSON: I see. Since you left the project have you had any links or contact with Dr Wouter Basson?

MR LOURENS: Yes he phoned me once about a year, eighteen months ago. He phoned me on my cellphone. He said to me - he was friendly, as he's always been, he said to me that he was told that I was applying for amnesty and he wanted to tell me that both him and General Knobel are most disappointed at my going this road. At that stage I had not applied, I had not approached anybody and I denied it. And since then the first time that I've seen him again was last night at the airport.

CHAIRPERSON: You see this brings me again to the question that was raised by Dr Wendy Orr, the whole question of the motives and perspectives. You see what worries us, and especially in view of what continues to take place so many years in what should be a democracy, and what should be a democracy that

should not be undermined by all the people who, as we understood, had reconciled themselves to the reality of a changed South Africa.

You see the rallying cry was always this "rooi gevaar", the Communist threat. If we are to take into serious consideration, for instance, the reasons given by former Minister of Foreign Affairs, Pik Botha, as having been the basis for some of the operations that were carried out by the South African Defence Force, namely, that there was always this Communist threat. Now by 1989, if my history serves me well the Berlin Wall had fallen.

Secondly in this country, from the 2nd of February there had been a major announcement made by De Klerk which we thought was heralding a new era, an era of negotiations and an era that sought to say now that Communism is away, now that there is no more terror on our borders, we should start to negotiate a way of life that is going to cause us to live side-by-side. What worries me is that for well up to 1993 you, on your own evidence, were part of the process that was still manufacturing dangerous murder weapons, in what should be conceived against the backdrop of what was happening, to have been a complete undermining of the peace process, and a complete undermining of a democracy that was sought to be brought into being.

Now what again causes people who know that a new mood is being endeavoured to be brought into being, but continue to do things of the nature that we are talking about?

And I would like you to also indicate, what do you think was going in the minds, it's a difficult question, in the mind of a Minister of State who was charged with maintaining law and order in his portfolio but notably one who was foremost in the negotiations process?

Now what sort of people are we dealing with here and what do you think is the future of this country, if on one hand we have people who talk peace and on the other manufacture weapons of mass destruction?

MR LOURENS: As an individual that lived within the security community for a long period of time the only thing I can say to you is that I think that most of us were, and I left that system before the '94 elections, my perception of the experience or the perception of my old colleagues was one of being ready for the great war up to the '94 elections, and the great fear of the outcome.

I mean we have to be quite honest about it, we didn't expect the President to be the kind-hearted man that he is or was at that time. We didn't expect to be treated in a fair manner by the new black government. We expected to be

chased into all kinds of dark corners of South Africa. So I don't think that anybody, from the security community, the white security community, moved into the elections feeling comfortable despite the overtures for peace etc, etc.

Even today, this little interesting episode we've just gone through, I mean it shows you that even after the proof of 1994 we still have a lot of people, white people, that resent this change, that did absolutely resent the change and can't make peace with whatever we did in the past. I cannot run from what I did in the past. I can't run away from the fact that I was in the military and I do carry it with a certain amount of pride, but I have to say that I've done the wrong things as well. So the change of heart is there, to some extent in some of the old securocrats, but not in all of us.

CHAIRPERSON: Now with the benefit of the background which you have indicated, there was this war that was expected to be taking place in 1994 it never came, do you think there's a war that is coming in 1999? I am serious about these questions ...(intervention)

MR LOURENS: Ja, I know that you are serious.

CHAIRPERSON: Because we have, on your own evidence, somebody who knew exactly what you all were about, on your evidence you say he says "I and General Knobel are very disappointed with you", what do you think they were disappointed with your what? For applying for amnesty or for revealing the truth?

MR LOURENS: Most probably especially revealing the truth. Applying for amnesty at that stage was - it's an early days issue. I don't believe that there's another war, and the reason for that is that I think a great deal of the white community have changed their minds and have seen that there is some simple concepts, such as living together, since 1994, so I think that the amount of people that today view this political dispensation with hatred and the drive to try and overthrow and live in this fool's paradise should just - it's a small community, it's a very small community.

CHAIRPERSON: Now lastly you said you heard - you people were travelling to Europe etc, etc, I am not particularly concerned with the lifestyle for the moment, but did you ever in your travels get an impression, apart from meeting that Syrian, that some of the people that you were meeting might well have been agents, foreign spy agents? Did it ever occur to you that that might be so and that this was also you know a programme that involved other foreign states and therefore you dealt with foreign agents?

MR LOURENS: Ja. I never, never got the impression that I was interfacing with foreign agents. But having made the statement you have to bear in mind that I was never trained to be able to detect, so I was in actual fact a sitting duck. If they wanted to approach an individual I would have been the perfect target in the sense that you know - and none of us went through this sort-of surveillance, counter-surveillance, national intelligence programme. That's not true. Some of the people did in actual go through. But I was not in the league of, for example, Dr Basson, in terms of skills to be able to identify, etc, etc. So it may in actual fact have happened, yes.

CHAIRPERSON: You are saying you were not a Craig Williamson for instance?

MR LOURENS: No, no, no absolutely not.

CHAIRPERSON: And it may well have been that Trevor, for instance, could have been a CA agent, a Mosad agent, a KGB agent?

MR LOURENS: Yes I suppose so, although my introduction or the process was - of my setting up of this particular trip was done by my officer commanding, which was Dr Basson, so there was a trust component there.

CHAIRPERSON: Anymore questions. Thank you Dr Lourens. Oh Mr Vally.

MR VALLY: I am sorry Dr Lourens there is one issue we want to canvass which is, what role did Dr Lothar Neethling play in any of the front companies you were involved in, other than him coming to meet privately with Mr Bart Hetema about aerosol cans?

MR LOURENS: Dr Neethling played, as far as my exposure to him had been concerned, and I must really tell you, strange as it may seem, is that I had a great deal of exposure to him, played no role. There was numerous opportunities in which we could have discussed intricacies of Project etc etc, and it never, ever occurred, never. So I have to say to you, no role as far as my participation was concerned.

MR VALLY: Thank you Dr Lourens.

CHAIRPERSON: I have to thank you Dr Lourens for having made yourself available. Subject to the arrangements that still have to be made for your further availability, you are excused.

MR LOURENS: Thank you very much.

CHAIRPERSON: Thank you Mr Currin. Mr Vally.

MR VALLY: Thank you Mr Chair. We call Mr Charles van Remoortere.

CHAIRPERSON: Mr Vally do you have an indication of whether Mr van Remoortere will be over with by six o'clock, at ten to six?

MR VALLY: I did have that indication Mr Chairperson until you started questioning the last witness.

CHAIRPERSON: Yes, in which event I think whatever arrangement you had made with us for that reason now flies out of the window. We adjourn now until tomorrow morning.

MR VALLY: We will not be longer than half an hour with Mr van Remoortere.

CHAIRPERSON: Yes I appreciate that but I know your half-an-hours Mr Vally. Nine o'clock

MR VALLY: Okay. Mr van Remoortere is not available tomorrow. He has spent most of today here. If we can hear him because we have got a very little, small area to cover with him.

CHAIRPERSON: It's difficult. But Mr Vally are you sure that if he's going to be cross-examined you have canvassed this with your learned friends? Is there going to be a cross-examination of this witness?

MR LOURENS: I haven't canvassed this specifically with my learned friends but he's not giving evidence, as far as I am aware, relating to them at all.

CHAIRPERSON: I am reluctant to allow it Mr Vally but I suppose if he's not available tomorrow and he's kosher I will assume let us entertain him.

MR VALLY: Thanks.

CHAIRPERSON: And only relevant cross-examination in-chief. I will have to curtail this.

MR VALLY: Mr Chair we are trying to make up time. This witness will not take long. I suggest we complete with him.

CHAIRPERSON: Okay Mr Vally.

LOTHAR



Lothar Neethling

Foto: Die Bürger

BYLAAG B

Transkripsie van genl. Lothar Neethling se getuienis op die
Waarheids-en-versoeningskommissie se sitting oor
chemiese en biologiese oorlogvoering in Kaapstad

CHAIRPERSON: Will you call your next witness Mr Chaskalson?

MR CHASKALSON: The Commission calls General Lothar Neethling and Mr Vally will take over the examination.

CHAIRPERSON: Mr Vally are you ready?

Mr Neethling welcome to these proceedings. Before you testify I will ask Advocate Potgieter to swear you in.

LOTHAR NEETHLING: (Duly sworn in, states):

CHAIRPERSON: May I just mention it for the record again General Neethling that you are quite welcome to testify and express yourself in the language you are best comfortable with.

GEN NEETHLING: Thank you, Mr Chairman.

CHAIRPERSON: If you would like to follow the testimony and you are acquainted with Afrikaans should General Neethling decide to testify in Afrikaans, we have facilities which have simultaneous translations. Mr Vally?

MR VALLY: Thank you, Mr Chair. Gen Neethling, can you briefly tell us what are your qualifications?

GEN NEETHLING: Mr Chairman, I am a scientist. I have two doctorate degrees in chemistry and related physiological biological chemistry and I regard myself as a person with a very wide range of interests regarding chemistry and electrical chemistry.

MR VALLY: This is precisely the area of involvement of Delta G and to an extent RRL, Roodeplaat Research Laboratories. Firstly I'd like to know if you had any contact with anyone at RRL?

GEN NEETHLING: Yes, let's start with RRL. RRL, I heard Dr Goosen I visited them twice, I visited them three times, and it was about the fact that I was the Head of the South African Police Dog School. This Police Dog School had a very big problem and they had one big problem that was to trace explosives.

MR VALLY: Gen Neethling, I don't want to know about RTO, Roodepoort Teel Ondernemings, I want to know specifically about the biological facility RRL.

GEN NEETHLING: I visited RRL once. It was one of the three visits I have mentioned. The other visits were to the dog unit. The only visit I paid to the laboratory described by Dr Goosen was in 1993. I was requested to investigate - I was retired at that stage, I'm still a consultant, I do it on a consulting basis and there was the case of a person who was injected with a specific substance in a town in Northern Transvaal with very detrimental consequences. The court case resulted and they said he was injected with the wrong material which led to

impotence. This led to the situation that that sample I received, I had to investigate that and I had to present a report on that. I have the report here and all the details. I had a discussion with two of the scientists there, there's two Veterinary Surgeons who were involved in analysing that. I don't know how they did they. I obtained the result, I was satisfied and the defence was satisfied.

MR VALLY: We will come back to RRL in a while, but just on that issue who were you consultant to, was it a private person or Government.

GEN NEETHLING: In 1993 I was an independent entity. I joined the Police - first let me start from the beginning. I had a bursary from Agricultural Services. I went to the USA in 1959, and I obtained my Doctorate there. I came back and worked for the Department of Agricultural Technical Services till 1970. I was stationed at two places, at Roodeplaat Agricultural Institute, I doesn't have anything to do with the other Roodeplaat, that was my first station and I did many experiments there regarding grapes. Afterwards I went to Onderstepoort where I became the head of the X-ray section because my background in the USA entailed the use of radio-active materials in the field of agricultural research, and this involved the use of isotopes in agricultural research. I became involved in a big project where certain analysis had to be done where large pieces of analysis were made regarding cereallium and other substances leading to those diseases which caused diseases in agriculture and losses were made during certain cycles and caused great problems. Then I went to the South African Police. On the 15th of January 1971 I started there and I was asked to establish a Forensic Laboratory and that activity suited my temperament very well. I'm not a person who likes routine because I like to be involved in a lot of things at the same time and the forensic science was a very attractive option because I ...(intervention)

MR VALLY: I'm sorry, we have been told by your counsel that you want to catch a plane. I just want to know your professional history from this period to this period I was a Constable or a Lieutenant, from this to this period I was in this rank or that Department, that's all I want to know.

GEN NEETHLING: In 1971 I joined the South African Police as a full Colonel. I was promoted in '79 to Brigadier. I was promoted - I'm sorry, in '74 I was promoted to Brigadier Assistant Commissioner and in 1976 a full Brigadier and 1979 I was promoted to a Major-General, and 1985 to a Lieutenant-General. In other words, I was part of the general staff of the Police from 1979 until I retired in 1992. There was nobody longer before or after me

and I think I can speak on behalf of the South African Police. Is that what you wanted? After August 1992 I retired. The post which I occupied at that stage was the post I occupied since '85, it was - I was overhead responsible for a whole range of departments. I was responsible for information systems, for communication, the dog school, the criminal record system and the forensic department. I handed over command of the forensic laboratory unofficially in 1985 when I Lieutenant-Colonel, and 1989 from moving from one building to the other, I handed over to the new Commanding Officer, that was Brigadier Heyn Strauss, and he also retired - he left the service a few years later and he joined SASOL. And in the meantime two other Commanding Officers were appointed. Since 1985 I was not involved in the daily activity of the laboratory. I was responsible for those five departments and I was also responsible for other loose kind of jobs. This meant that I was overhead responsible for a budget of more than R1 billion. It increased during that time because, as you know, computers and things are very expensive, and we were at all times involved in eradicating a big backlog regarding information systems, especially with the criminal record system. That was my career.

An unfortunate incident took place in 1989, the end of 1989, certain information was made available regarding ...(inaudible) and there was an appeal after a court case in 1994 where the allegation was made that I was responsible for the provision of poison to Dirk Coetzee, and at that stage I categorically denied that. I did not do that. My laboratory, while I was there, did not provide poison to anybody at any stage. We did our very best to develop an analytical capability which would enable us to solve any analytical problem which would develop in solving crime. That was my main purpose with the establishment of the laboratory, which was very successful and is becoming even more and more successful using new techniques like DNA.

I'm very sorry that I had to read all these lies in the newspapers and this has ruined my career. The Police had to make a plan and this post of the Head of Criminology in 1985 - they described it in the same way as what they did when they had to get somebody out of the system, they changed the job description and I landed up being an advisor for the South African Police, especially the Commissioner. My whole career in the Police was geared at the establishment of the laboratory.

MR VALLY: Sorry, Gen Neethling, did you wish to read a statement to the Commission before I started questioning you?

GEN NEETHLING: I have no statement in front of me.

MR VALLY: Okay, sorry, I do have your Police career right now. I need to ask you some questions.

GEN NEETHLING: Please do.

MR VALLY: Thank you.

MR VALLY: Firstly, when you were in charge of the Police laboratories, do you recall the Thallium poisoning case of Simpiwe Mtimkhulu?

GEN NEETHLING: I was notified about that, or I became involved in that through the Deputy Attorney-General, I don't know which of the two posts of the Eastern Cape. He contacted me at a stage and he said such a case did occur there.

This was mentioned also to the laboratory and said an analysis had to be done on a urine sample from a certain person. This sample was flown in, the dossier is available on the, that was in December, I don't know which year, it was early in the 1980's. The person who picked that up, it was sent by courier, he brought the sample to the laboratory. I wasn't present there, It was December, I was on two weeks holiday, that was the only time I could spend with my family. It was damaged there, and when they opened it there was no sample. Everything was dissolved in the cottonwool or the paper.

MR VALLY: The identification of a poison with which Mr Simpiwe Mtimkhulu was poisoned was done by Professor Frances Ames from the University of Cape Town, is that correct?

GEN NEETHLING: That is correct, yes. I have spoken to her on the telephone.

MR VALLY: And you specifically requested her to send you samples, was it tissue samples, hair samples?

GEN NEETHLING: No, I asked for hair samples and for urine samples, and I only received a urine sample. The hair sample, that was the only case where we had an example of possible Thallium poisoning, and there were certain characteristic strains in the hair of a poisoned person which is easily identifiable according to the literature, but there was no sample which we could use for that. The analysis which Dr Ames did was done in England, and there was no question that I would question or query these findings.

MR VALLY: So the sample that was sent at your request to the Police Forensic Laboratories, either was damaged or didn't arrive. Your Police Forensic Laboratories where you were in charge of them didn't give any response to your perception of what the poisoning was.

GEN NEETHLING: There was no way in which we could determine what the possible toxin could be, and there was not further way how we could obtain another sample, because, after enquiries, they said there was not person available from whom they could obtain the sample, the person had disappeared, so there was no possibility to get another sample.

MR VALLY: We do know now what happened to Mr Mtimkhulu, are you aware of what happened to Mr Mtimkhulu?

GEN NEETHLING: I read during the court cases that he in one or other way was abducted and that he had disappeared, but how, I don't know.

MR VALLY: Well, let's leave, let's be specific, that he was in fact kidnapped and murdered by then members of the South African Police. Are you aware of that, that there's an amnesty application pursuant to this kidnapping and murder?

GEN NEETHLING: I do not know who the people are who were involved. I read that he had been abducted, but I don't know about that, but I know that he had been abducted by the Security Police in one or other way and was killed then. I don't know how and I don't know who were involved regarding that specific action.

MR VALLY: Are you aware that a General is claiming amnesty for his abduction and murder, a General of the Police Force, an ex General of the Police Force?

GEN NEETHLING: No, can you mention his name?

MR VALLY: I think it had come out in public hearings already, Mr Chair?

CHAIRPERSON: Right, yes.

GEN NEETHLING: It had to be the previous head of the Security Branch at Port Elizabeth. Which year was that, I don't know who was there. I had nothing to do with the Security Police's activities.

MR VALLY: My question is this, you being the upper echelons of the Police, and you joined as a Colonel in 1971, by '74 you became a Brigadier, in a space of three years you became a Brigadier, surely you'd be discussing those issues at that level?

GEN NEETHLING: No, not at all. At all meetings of Generals, no operational action with regard to people who had disappeared or were possibly hurt, not even the Biko case was ever discussed. It did not form part of the general function of the staff of the Generals. It was part of the Security Police.

MR VALLY: Are you aware that there was an action pending by Mr Mtimkhulu against the South African Police?

GEN NEETHLING: It was reported as such in the newspapers, yes. I think that was the reason why the Attorney-General took action if I remember correctly. I think we're now talking about 20 years ago, approximately 18 years, ago, I'm not sure. When was this incident?

MR VALLY: It was in the early 80's. Let's go on. There was evidence given here by Dr Jan Lourens that at the time he was Managing Director of Systems Research and Development, he was approached by you to accommodate a man by the name of Bart Hetima at his company. Do you know about Hetima?

GEN NEETHLING: I think it's just reversed. I introduced Bart Hetima to them. I met him in 1977/78 in Eastern Cape. He was the man who at that stage was the only man who had knowledge of the packaging of aerosols. He had a company in which he was the sole shareholder where he made aerosol cans, and at that stage we wanted to have our CS teargas packed in aerosol cans because that was a very handy way of using it. The Americans had already started using it in the late 60's and we started with tests in Komga and thereafter in Middelburg in the Cape, where he had his premises. He assisted us with the formulation of CS cans, and this became general equipment in 1982, and '83/'83 I met Lourens for the first time in '84/'85. Then the abilities of Bart Hetima came to the attention of Dr Wouter Basson, because he met him while he was with me while we were doing the testing for the CS gas formulation.

Thereafter at one or other stage he worked for one of the companies of Dr Basson. Which one it was exactly I do not know. So, Dr Lourens, I don't think he's correct, he's not a doctor, he's Mr Jan Lourens. He has a degree in Engineering from the University of Pretoria. Is this another Dr Lourens.

GEN NEETHLING: He is a Dr Lourens, your attorney would tell you, he was present when he gave evidence. He advised us that you brought Bart Hetima to them and asked him to employ Mr Bart Hetima as SRD, Systems Research and Development.

GEN NEETHLING: That is not true, Dr Basson did that. I did not even know of the existence of SRD. The existence of SRD was made known to me by Dr Basson, and this was after we tried to get the capabilities similar to the ability to get the authorization and control, commander control post, and to have that established. It enables four Commanding Officers, two for example in whatever trouble may occur, for which the Task Force is used of the South African Police to be able to execute that function, and to be able to issue the different commands in the air without being intercommunication between the four teams. And there a Mr Jan Lourens received the contract which went out on tender to

build that facility for the South African Police. That was the first time that I became involved with him, when he provided us with that electronic facility. It took approximately 1½ years before we got hold of that piece of instrumentation. In that ...(intervention)

MR VALLY: What year was that, please?

GEN NEETHLING: I can go back in my documentation, unfortunately I did not bring it with because I did not think it was important, but this was in the mid 80's, approximately '85/'86.

MR VALLY: Are you saying that is the first time you met Dr Jan Lourens?

GEN NEETHLING: That is the first time that I met Mr Jan Lourens. If he received his Doctorate degree in the meantime, then he must have obtained it during the time that he was busy with his academic studies. I have no knowledge of the fact that he had a doctorate degree. I won't take it away from him either if he has one.

MR VALLY: He does have one, and it's a PHD.

GEN NEETHLING: I'm glad to hear that, but I would like to know when he got it because I haven't seen him for quite some time.

MR VALLY: Fine, let's go on. Do you deny then that you brought him, Mr Bart Hetima, to Mr Jan Lourens where Mr Hetima was working at your request regarding the putting of, as you say, CS gas into aerosol cans?

GEN NEETHLING: Absolutely, I'm saying that the man who offered Bart Hetima employment for the ability that he had in the manufacturing of aerosol cans, was Dr Basson, Wouter Basson, and whether it was in my presence or not, he said to Jan Lourens here is a man whose expertise you can use, see what you can do with him, because I had nothing to do with Protechnic, nor with Technotec or whatever other companies existed. While we are on that point ...(intervention)

MR VALLY: Can I just, before you go into that, can I just get some clarity. You say Dr Wouter Basson asked Dr Jan Lourens to employ Mr Bart Hetima, it may or may not have been in your presence.

GEN NEETHLING: That's correct. That's exactly what I'm saying.

MR VALLY: When you say it may or may not have been in your presence, is it because you had regular contact with Dr Wouter Basson?

GEN NEETHLING: I had regular contact with Dr Wouter Basson from the end of 1983 onwards.

MR VALLY: Can you tell us what this contact was in connection with?

GEN NEETHLING: Yes, I can tell you that it was just after General Johan Coetzee took over as Commissioner of the South African Police in '83, the end of that year, August or September, I cannot recall, I received a call from his Staff Officer to tell me that I had to come and see him. It was an afternoon. I went there to his office and found in his office, Dr Nico Nieuwoudt, Minister Louis la Grange, as well as Commissioner Johan Coetzee. I was then asked ... (intervention)

MR VALLY: Sorry, Dr Nieuwoudt was the Surgeon-General at the time?

GEN NEETHLING: That's correct, yes. General Nico Nieuwoudt. I was then asked to assist, if we could, in providing Dr Basson who had a firm with the name of Delta G, with substances which we could possibly use for the combating of unrest and crowd control with regards to the unrest that was prevailing in the country at that stage, and the philosophy which was already known to me, was that under certain circumstances one could provide or use sleeping drugs which could possibly decrease the anger of the crowds so that the principle of minimum violence could be used maximally. Minister le Grange, and I'm saying this - I'm now talking about people who have already died, and I'm very sorry for that, Minister le Grange and General Nieuwoudt I think were two wonderful people who gave me the impression that under no circumstances would they associate themselves with violence and we tried to do everything in our ability, and in the South African Police to do that as well, and I can prove this with numerous examples. We had conferences, symposiums and travelled throughout the world and attended these in an attempt to develop techniques which would be more acceptable to the South African Police than a bullet from a gun, and we succeeded in doing this. And in creating a series of products with regard to the application of teargas, water canons, sneezing machines, teargas from grenades, which was more effective than the old grenades, and at the same time, we always tried to get a better teargas, and there was not a single one that was prescribed to us, and this a gas by the name of CR. That day I was told that the ability that was developed, it was in the process of being developed, would be able to synthesise both the CR and CS gas.

It is so that I was then informed and that Dr Basson showed me plans of a laboratory. He also asked me some questions with regard to improvements which could have been made. I gave him my input in that regard, and I was told that the capability would exist to make CR and CS. That was the first thing.

The second thing was to develop a possible smoke which would be able to influence the state of mind of the crowds, and three substances were listed

which they knew they could obtain from me because it was publicly known that the drugs that we confiscated in the course of normal criminal procedure all ended up at the criminal forensic laboratory after the cases has been completed, because we - after we had heard that people were pushing it back onto the street again after the court cases had been finished, then one has to go after the same things twice, and we then said that we would store in centrally, which we did and of those tablets on three occasions methaqualone tablets were given to Dr Basson so that he could extract the active ingredient, mandrax, and use it for further synthesis to obtain substances which would be physiologically active. In other words, we were looking for sleeping drugs, that was the one component, namely methaqualone, the second component was lysergic acid ... (intervention)

MR VALLY: Sorry, is that LSD?

GEN NEETHLING: Yes, that's the active ingredient in LSD. It comes from a whole conglomeration of tablets that was available. They are light-sensitive and there was nothing more that approximately 50mg of active ingredient present in those tablets because one tablet usually is 50 micrograms. This was the sum total. And the third possible category was the changing dagga into powder form. This could have been possibly changed into a gas formulation so that we could throw it into the air and instead of throwing stones and using vehicles for arson, that you did not want to do this anymore and you then become more peaceful. And for that a conscript was used who worked with me for approximately nine months. There were many conscripts who came to me as scientists ... (intervention)

MR VALLY: Sorry, would you give us his name please?

GEN NEETHLING: His name was Sotas, Dr Sotas. He came to me and we gave him the capability to take fresh dagga plants and to extract them and take the dagga oil out of it, and with that he went forth in the hope that they could make grenades or products which could be broken down into powder. The same principle therefore as the previous two. That was a once off occasion, that of Dr Sotas.

The methaqualone mandrax, I think it was three times that this happened, each time this was done on request. The procedure was as follows, the Surgeon-General, Dr Nieuwoudt would phone me and asked whether I could help Wouter. Wouter would come to me, then Wouter would come and he'd say, I want so many mandrax tablets, and I'd say how many, 15 0000 or 10 000, whatever I had at stage, he would take it and leave, and I knew that they were trying to make

derivatives and also to put this into the grenades. This was a project that I was kept informed of, but grenades were never produced, which, let us say, were used operationally. It was always just on an experimental or testing basis.

The only grenades which were produced a bit later, on an operational basis, were those the teargas CR. These tear-gases, we tried to make in the late 70's without any awareness from my side that there would be possible interest from the Defence Force. We asked that Sasol would, with its laboratory Sentrachem would make us a few kilograms of the substance, and they gave me 10 kilograms of wastage materials, because they had problems in manufacturing this, the people who were working with this had to wear wetsuits, etc to protect themselves, but we started using this, or tested this in aerosol cans and ... (intervention)

MR VALLY: Sorry, Gen Neethling, let's come back to the CR gas in a short while.

GEN NEETHLING: Yes, okay.

MR VALLY: We're still at the point where you said that drugs which were confiscated were sent to the Police laboratories under your control and ... (intervention)

GEN NEETHLING: Under the control of the laboratory, yes.

MR VALLY: Which you were the head of at the time?

GEN NEETHLING: That's correct.

MR VALLY: And you were instructed or requested by the then Minister, Mr Louis le Grange, Minister of Law and Order or Police at the time, with the Surgeon-General, Dr Nieuwoudt, present as well as the then Commissioner of Police, Mr Coetzee?

GEN NEETHLING: That's correct.

MR VALLY: To assist Dr Basson?

GEN NEETHLING: Yes, that's correct.

MR VALLY: And to provide him with whatever he needed?

GEN NEETHLING: To give him the specific methaqualone, ... (indistinct) and LSD, just those three things, nothing more, nothing less. There could have been many other things, he could have asked for Dystopian, which we literally had tons of, all these valiums, librium, etc that are abused. They didn't want that, all they were interested in were these three things.

MR VALLY: So in lay person's terms, Mr la Grange, in the presence of the Commissioner, Mr - I forget his rank at the time, General Coetzee ... (intervention)

GEN NEETHLING: Full General, he was the Commissioner.

MR VALLY: And ...(intervention)

GEN NEETHLING: Lieutenant-General Nico Nieuwoudt, Surgeon-General. In the meeting would also have been General Viljoen, but they told me General Viljoen could unfortunately not be present, as something had come up. He was supposed to have been there, but he wasn't.

MR VALLY: And General Viljoen, what was his position at the time?

GEN NEETHLING: He was the Head of the Defence Force.

MR VALLY: So the Defence Force was the - did he send someone in his place?

GEN NEETHLING: No, it was only those three persons and I.

MR VALLY: So they advised you to supply Dr Wouter Basson with mandrax, LSD and dagga?

GEN NEETHLING: That's correct, yes.

MR VALLY: Alright, let's go on from there, you mentioned that you supplied him with mandrax on three occasions to your knowledge?

GEN NEETHLING: As far as I can remember, it's 15 years ago already.

MR VALLY: And secondly, you earlier on said on one occasion there were 100 000 mandrax tablets, is that correct?

GEN NEETHLING: No, I said that at one stage we had up to 100 000 tablets in our possession as the cases built up and we repossess these things, but once a year these tablets were destroyed and we burned it because - it was a mess, it wasn't easy to burn these things. Iscor wasn't very happy.

MR VALLY: How much mandrax do you think you supplied to ...(intervention)

GEN NEETHLING: An ordinary mandrax tablet's content is 250 milligram, it's a ¼ gram per tablet. In other words, four tablets is one gram and 4000 tablets are a kilogram, and a 100 000 tablets are 25 kilograms, if I have to make quick calculations.

MR VALLY: How many tablets - mandrax tablets in total did you supply to Dr Wouter Basson?

GEN NEETHLING: I think it was probably between 100 000 and 200 000, between 25 and 50 kilograms of methaqualone, but now I must also say that one is not going to get 100% extraction, and even though we say that there is 250 mg, perhaps you most probably will only get 80%, you'll never 100% back. So let's make it 50 kilograms maximum as a substance to be used for further synthesis for a changing of the molecules to be more physiologically active, because one of the problems of methaqualone is that you cannot burn it very easily.

In other words, if you put it into a smoke formulation, then you destroy the active ingredients, and that's the big problem we have with CS, the normal teargas which to South African Police uses. The problem is that when you put it into the grenade, you pay so much for the grenade, it costs R50,00 of which R30,00 is for the active ingredient, and you only get 15% back. The other 85% is being burned, it's as good as taking a roll of money and burning it, and this is uneconomical, and that is why CR is so much better. It has a much better formulation to be broken down into powder form with less activity, less costs and much higher physiological activity.

MR VALLY: Let's just come back to this, I am going to come to CR gas rest assured ...(intervention)

GEN NEETHLING: I couldn't hear.

MR VALLY: We will get back to this.

GEN NEETHLING: No problem.

MR VALLY: I want to stick to what we're talking about now, in your estimation you gave Dr Wouter Basson between 100 000 and 200 000 mandrax tablets?

GEN NEETHLING: Approximately, yes.

MR VALLY: How much LSD did you give him?

GEN NEETHLING: I think there wasn't much more than 5000 of the different cases, from 10 or 15 cases, everything was thrown into a holder or container and average activity was not much more than 30 micrograms per tablet. Let's make it 33.33 micrograms, in other words, one needs 1000 tablets for 1 milligram and 10 000 for 10 milligrams, and then you hope that this is the average activity, because the LSD is inclined to be light-effective, it changes with light, it deteriorates, or disintegrates and that is why it is kept in silver paper or aluminium paper, it doesn't want light, nor does it want any watery substance, so I don't think I gave him any more LSD than 5 milligrams, but it's a great deal if you say that you have 5 milligrams of pure LSD, then with that you can theoretically put 50 000 men on a trip. If you can have every chap breathing in 50 micrograms it's an ideal substance, just like ecstasy, if I could give ecstasy to every person, he will not make war, but love, then I can in a matter of 10 minutes, I can change his whole spiritual condition, and this is what happens in the lives of the young people today. I live behind a rave club and this is definitely not a casino, these people just carry on from Friday till Sunday on two tablets.

MR VALLY: So we've got approximately 5000 LSD tablets, we've got approximately between 100 000 and 200 000 mandrax tablets, how much dagga did you give Dr Basson?

GEN NEETHLING: I want to tell you that while you asked these questions, I knew that this question was coming. I'm trying to recall, but I don't think it was more than 5 bags, 5 of these canvass bags, because we have a big problem at the laboratory that it's not at all equipped for any synthesis or any extraction on a large scale, because our samples are always too small we work on a micro-scale, never on a macro-scale. If you therefore take dagga and you want to start extracting kilogram of dagga when we do not have the ability. He had to bring his own pots, I did not have the pots or the glass apparatus to do this. Where he obtained this I do not know, neither did I ask, but he extracted it and with that he left. I think that it wasn't more than 5 bags and this took him quite a while because it had to be done bit by bit.

I will try and calculate this, a bag is approximately 50 kilograms if it is well filled, and the percentage of active ingredient if it is good Durban dagga that you get in the Valley, which the people are crazy about in Europe and wherever, then you can get 2½% oil from it. In other words we say that 5 bags X 50 kilograms is 250 kilograms. $250 \text{ kilograms} \times 2,5 \div 100 = 2,5 \text{ kilograms} \times 2$, gives you approximately 7 kilograms of oil, 8 kilograms if you work very well, but I do not believe that he took 7 kilograms of oil away. This is now the active ingredient, this must still be - he was still to get another substance from that and 30% thereof is the molecule that I am looking for to start with to be able to make derivatives or to try and get that molecule, so it was most probably a third of 9 kilograms, let's say that is 3 kilograms of active ingredient.

In other words, that is what I wanted and with that I hoped to be able to do enough tests to know whether it works or not. Obviously it did not work because we never heard of it again. We did not hear about LSD, ...(indistinct), nor about dagga and on two occasions I was involved in the turning into powder of mandrax which became a reality later because they changed the whole formula of burning this - of organic material. At 55 degrees, everything is broken down, so you must get something that remains cold while you make smoke, and that's not so easy.

An ordinary cigarette if you draw in, then the point of that cigarette's temperature is between 500 and 600 degrees Celsius. The more oxygen that comes through, the higher the temperature goes, and this is what you do not want, and this was the big problem with methaqualone, to get it to such a state

that it would end up in the air, and together with the lactose and the prorate and nitrates which are used to combust this, that is still remains active and does not burn.

CHAIRPERSON: I think this will be a convenient stage to go and take lunch and smoke cigarettes and dagga ...(indistinct). We'll adjourn until 14h00.

HEARING ADJOURNS

ON RESUMPTION:

CHAIRPERSON: Can we get ready to start ladies and gentlemen.

Mr Vally. General, may I remind you that you are still under oath.

LOTHAR NEETHLING: (s.u.o.)

MR VALLY: General Neethling we have just talked about the quantities of mandrax, LSD and dagga you supplied to Dr Wouter Basson at the request of the Minister of Police in the presence of the Commissioner as well as the Surgeon-General at the time, Dr Nieuwoudt, and you advised us that were informed the purpose was to see if it could be used in some form as a means of crowd control or riot control?

GEN NEETHLING: Yes, riot control, or the control of crowds, and kind of as a sleeping drug. This came from the study group consisting of the people from the Army, the Police and from Armscor. We met once every three months, we sat around a table and we discussed the needs of the Security Forces regarding the activities which were going on and the question of the obtaining of water canons and obtaining other substances which were required or gas masks, it was a big problem, the Security Forces did not have gas masks.

When the riots started in 1976, the South African Police were caught unawares. They had nothing apart from guns, shotguns, and sharp point ammunition. Nobody wanted to use that and that's why there was a surge for various techniques to be applied.

And to prevent riots studies were undertaken. I went overseas three times to Germany, England, Israel, America to find the best techniques available.

CHAIRPERSON: In history is recorded that sharp ammunition was used in 1976.

GEN NEETHLING: Absolutely yes, but it was not the first choice, Mr Chairman. When the riots started we tried to make other plans. There was limited amounts of teargas, it was not enough. The people who supplied the CS, I don't want to even mention their names, because they won't believe it that they were the people who provided us with that, we had no capability whatsoever, and the few grenades we had we could not handle one big unrest whether we

wanted to or not, and there was a different philosophy, a different approach regarding riot control or the control of crowds. We did our utmost most best, for the last seven, eight years it went better.

MR VALLY: Gen Neethling, just confirm again what date was this meeting, the one with Mr Le Grange?

GEN NEETHLING: It was between August 1983 or the beginning of 1984, I don't know exactly when, because at that stage you had a conversation, you talked to somebody, and you went along. I didn't make notes of dates, I didn't write down the date, but afterwards things took place, CR was developed, and I know when that took place the first time, I physically made contact with Dr Wouter Basson and I talked to him for quite a while was when we attended the first conference in Kent in 1984 in May. I made no secret of that, that certificate was in my office. I handed it in to Higher Court and I handed it in to the Appeal Court in 1994. There was nothing secret about that ...(intervention)

MR VALLY: Fine, we'll come back to CR gas ...(intervention)

GEN NEETHLING: I just want to give the date, it was May 1984.

MR VALLY: This is the reference to the conference in Kent, is that Belgium?

GEN NEETHLING: It's in Belgium, yes.

MR VALLY: We'll come back to CR gas in a short while.

GEN NEETHLING: Good.

MR VALLY: I still want to pursue the issue of the other drugs that were passed on to Dr Wouter Basson. The first question I want to ask you is this, how was the physical transfer made, the delivery?

GEN NEETHLING: The physical transfer was physically provided to Dr Basson, loaded into his car with my Staff Officer, retired as a Brigadier, Brig Arnold Mentz. I usually told him, Arnold how many are there, get 50 000, 60 000 tablets, and it was brought to his office next to mine, it was in the Jacob Marais Building. Then Dr Basson would collect it from there, put it in his car and drive away. The same with the LSG. The dagga was conveyed by Dr Sotas. He took that oil and left with that. Later on I realised that he was employed at Roodeplaat. I did not know where, I never saw him again.

MR VALLY: Fine, so there was personal delivery under your instructions by your ...(intervention)

GEN NEETHLING: Yes, when he came there he greeted me.

MR VALLY: Fine, now at this stage, did you have the consent of the Medical Control Council regarding the delivery of the mandrax?

GEN NEETHLING: Not at all. My Medical Control Council, the contact with them was limited. Later on I served on a committee, a scheduling committee of the Medical Control Body. I served there for four years.

MR VALLY: Well, let me rephrase my question.

GEN NEETHLING: Please.

MR VALLY: Didn't you require, I'm sorry, there are headphones there if you require them, Gen Neethling.

GEN NEETHLING: No, I'm a little bit hard hearing because of the tons of antibiotic I had in the last two years which I'm sorry about.

MR VALLY: No, that's fine, but I mean it will help you with the volume as well, if you need it, it's up to you.

GEN NEETHLING: I'll try.

MR VALLY: No, it's up to you, and there's a volume control on it. Sorry, let us continue.

From a legal point of view, as a Policeman, if someone other than the Police in the course of the investigations were to be given such large quantities of, and these were all illegal drugs, surely you needed some consent to legalise the possession of such drugs.

GEN NEETHLING: I had that. I was provided by the Minister, under the Minister's instruction. He instructed me, assist those people because from that we will make derivatives which we could use. I'm also a pseudo policeman, just like the pseudo scientist, as a Policeman we did - do you know I gave Delta G the certificate that they may possess teargas. They produced teargas, and for that they required a certificate according to law, according to the law of 1984, the teargas act.

MR VALLY: Did you comply with the law requiring specific exemption?

GEN NEETHLING: Not at all.

MR VALLY: So, the holding of those drugs by Dr Basson, after it left your possession, Dr Basson would have been in illegal possession of those drugs in terms of the law?

GEN NEETHLING: With respect, that statement is incorrect. If a person acts on the instruction of the Minister of Security and of Chief of the Defence Force and if he has access to certain substances in order to do certain analysis, there is no basis to say that it is in his possession illegally.

MR VALLY: I want to respond, I think you can be the President of the country, but if you had illegal substances and you do not follow the procedures in terms of the letter of the law, you can be charged. The charges I'm relating

to are in connection with both - you were ultimately a General in the Police Force, I'm not sure if you were Brigadier at this time already,

GEN NEETHLING: No, in 1984 I was a Major-General.

MR VALLY: Which is even more senior than Brigadier. You were Major-General in the Police Force and you were a pseudo policeman but it was your laboratories, it was your department that tested items that was sent before people were convicted for possession of drugs. Is that correct?

GEN NEETHLING: That is correct yes. I provided the material.

MR VALLY: Were you aware that it was very serious offence to have such a large quantity of habit producing substances, unlawful substances?

My learned friend did not answer and he's just continuing with his questioning, I thought he was avoiding it, and that's why I left the matter, but he must still answer me.

CHAIRPERSON: Yes, except just as I thought that I should be placed in a position to make a ruling your client went ahead and answered in any event. Now, Mr Vally, do you want to lay a basis for this conclusion, because it is really a conclusion that you are coming at, can you establish whether in fact Dr Wouter Basson did not have permission, like the General said he had permission, to be in possession.

MR VALLY: Mr Chairperson what Dr Neethling said, and what his counsel was implying was because the instructions came from the Minister and the Commissioner, etc, that there would be no illegality involved. I am querying this and I'm ...(indistinct) this from two legs, but maybe I should first respond to the objection which I thought I had. There was an act called the Medicines and related substances Act, no 101 ...(intervention)

GEN NEETHLING: From 1964, that's correct.

MR VALLY: You are aware of the act?

GEN NEETHLING: Oh yes, we worked with it every day. We caught people every day pushing drugs, giving it to the kids.

MR VALLY: So you are an expert in that area?

GEN NEETHLING: I wouldn't say I'm an expert at law, but I'm an expert in saying that we knew that when people brought in the evidence, we never collected any evidence, these were the people from the Police, the operation Police. I'm not an operation Policeman, I've never arrested a man in my life, and for God's sake, I hope I never have to.

MR VALLY: Did Dr Basson have the necessary exemption in terms of the Medicines and related substances Act?

GEN NEETHLING: I don't know. What I know is that doctors get away with murder, literally, in the sense that they can have anything in their possession, they can have morphine, they can have anything which is schedule 6, 7, 8 or 9 without possessing any paper. That is the strength or the power of that medical profession. I never queried his bona fides, I never thought that Dr Basson would provide or sell or use one gram of that himself.

MR VALLY: And you believe now that he did do that?

GEN NEETHLING: Yes, I still believe it. I don't think he used one microgram of any of those substances or sold any of that. Why would he do that?

MR VALLY: Well, let's come back to my question.

GEN NEETHLING: What was your question?

MR VALLY: The question is this, that as a very senior Policemen and as the expert on these drugs, because that was your field ...(intervention)

GEN NEETHLING: Expert on the drugs does not mean expert on exemption of the law.

MR VALLY: Yes, I accept that.

GEN NEETHLING: Thank you.

MR VALLY: Surely you would consider it of importance that a person you are putting in that dangerous position, remember with the quantities you are talking about, the person would not only be charged with possession, he would be charge with, tell us,

GEN NEETHLING: Possession, simply possession, it's in the boot, it's in the back of his car, it's three cartons of tablets ...(intervention)

MR VALLY: No, I agree that you're not an expert on the law, but he would be charged with dealing.

GEN NEETHLING: Me?

MR VALLY: Not you.

GEN NEETHLING: The medical man?

MR VALLY: That's right.

GEN NEETHLING: Never, why?

MR VALLY: Because, he's transferring it from place A to place B.

CHAIRPERSON: Mr Vally is there anything that he is going to tell, I can quite appreciate, but he's not a lawyer, he possibly doesn't differentiate between what constitutes possession and when does possession become dealing, what quantities do you ...(intervention)

MR VALLY: Can I ask that question very briefly. Based on the fact that Gen Neethling was in charge of the Police laboratories ...(intervention)

CHAIRPERSON: He was not in charge of SANAB. Maybe people in SANAB might have known what constitutes possession, quantities ...(intervention)

MR VALLY: No, the fact is that the certificate which had to be produced to courts, no 1 had to confirm the substance and no 2 the quantities, and a gram or a couple of grams this way or that way made a difference between 5 or 10 years in jail.

CHAIRPERSON: Mr Vally, I will allow it only to the extent that it is necessary for you to put something on the record, I don't really think it's going to take us anywhere, unless you indicate to me what objective you're seeking to establish.

MR VALLY: Certainly.

GEN NEETHLING: If I can put it on record, that's my attitude as well, Mr Chairman, I don't really think anything turns on this. I differ from Mr Vally's view on the law and I have a serious problem with his legal argument in getting to that, but I would rather suggest he put what he wishes to put, get the response so we can proceed. We don't need to waste further time on this, so I will abide the decision, I think that is the way that we should handle the matter.

CHAIRPERSON: Don't be tempted into responding, I can see you are - just put your hand across your mouth and let's get on with it, I'm serious. Mr Vally?

MR VALLY: The one question you allowed me to ask on that issue before I go on, Mr Chairperson, you're aware that when you gave certificates to courts regarding drugs which was sent to the Police laboratories, that you also would have to give the quantities found, because it is relevant, (a) to the charge, and (b) to the possible sentencing.

GEN NEETHLING: With regards to dagga, yes, but for other schedule 6, 7, 8, yes, should you be caught there would have been a statement, it's as easy as that. A SANAB person is always in private clothes. He walks along with a lot of evidence before he gets to the laboratory, and nobody catches him. I never thought that a doctor, a registered doctor, would be caught with any substance which can be used for the improvement of humanity, never ever.

MR VALLY: I don't know about classifying mandrax as something which will ...(intervention)

GEN NEETHLING: No, you don't understand. The purpose was that it to be used to get away ...(intervention)

MR VALLY: We'll come back to that, okay, I'll pursue that. I put to you, that you did not concern yourself with the fact that the possession of those drugs,

the mandrax, the LSD, the dagga, by Dr Basson, whether that fact of his possession of those drugs was legal or illegal was of no concern of yours.

GEN NEETHLING: Not at all, because I had my instruction from the Minister who told me, that this is what the people requires from you, can you assist them, and I said yes Minister, thank you Minister, goodbye Minister. That's what you say to a Minister.

MR VALLY: If the Minister ordered you to murder someone, would you?

GEN NEETHLING: No, no and Louis le Grange was not that type of person.

MR VALLY: Because you knew it was an illegal act

GEN NEETHLING: No, it would have been against my grain to kill somebody, I've never killed anybody.

MR VALLY: Not because it's illegal?

GEN NEETHLING: No, it had nothing to do with illegality, what I understand here, and I can see from the evidence I read in the newspapers, don't believe what is written in the newspaper, if that is true what is written there, we should start by saying I am a conservative Afrikaner brought up in the Dutch Reform Church, and I don't believe in murder. Is that good enough?

MR VALLY: I hear what you're saying. Gen Neethling, did you ever enquire about the control mechanisms from a security point of view?

GEN NEETHLING: Not at all. Not of any nature with regarding the substances I provided to Dr Basson. After they've my office, it was put in his motor car, I never made any enquiries. I asked what was happening with the mandrax product, how far are you in developing those things into a powder, and they said they had problems getting it up in their ...(intervention)

MR VALLY: Into their, sorry, the interpreter cut short, you said they had problems?

GEN NEETHLING: They had problems to make it kind of into a powder form to get it up into the air.

MR VALLY: You are aware that mandrax is a massive social problem in our society.

GEN NEETHLING: I know it is a serious - being seriously abused during weekends, yes.

MR VALLY: You are aware that there is a massive crime problem in this country which can be directly linked in some instances to the proliferation of drug lords who control the sourcing and selling of mandrax amongst others?

GEN NEETHLING: It's worldwide, yes there was a large conference, I'm aware of the problem.

MR VALLY: We're talking about mandrax.

GEN NEETHLING: It's worldwide.

MR VALLY: We've got the unique situation where mandrax is a drug of abuse in South Africa, on a proportion far exceeding any other country in the world. Would you agree with that?

GEN NEETHLING: The reason is because we're the only country in the world which has such good access to mandrax via our Indian connection, yes.

MR VALLY: I see.

GEN NEETHLING: All the illegal laboratories in India are responsible for the wonderful provision of methaqualone in any form whatsoever to the Republic of South Africa.

MR VALLY: Yet you were prepared to release between 100 000 and 200 000 mandrax tablets put into the boot of Dr Basson's car, personally under your supervision ...(intervention)

GEN NEETHLING: At three instances, not 200 000 at a time, at three various stages, just make sure of your facts, it's 70 000 per time approximately, 3 X 70 is about 200 000. I was satisfied to put it in the boot of his car because I knew he's a responsible physician who would do with it what we expected, that is, put them in grenades and burn it, and also to make derivatives from that. He had a team of scientists, I knew some of them ...(intervention)

MR VALLY: Let me repeat my question, mandrax abuse is a massive social problem,

GEN NEETHLING: That's right.

MR VALLY: You got to know Dr Basson better at the conference in Belgium in 1984, you didn't really know him that well, you are pseudo Policeman,

GEN NEETHLING: Yes.

MR VALLY: The very fact that you were getting such large quantities of mandrax and the fact that you were providing certificates on a regular basis for people being charge or prosecuted and convicted in court, involving mandrax, you are probably aware of papers written on drug abuse in South Africa,

GEN NEETHLING: Yes.

MR VALLY: You're aware of the extent of the drug abuse in South Africa?

GEN NEETHLING: Yes.

MR VALLY: But as this pseudo Policeman, a Major-General,

GEN NEETHLING: Yes.

MR VALLY: You put, or arranged for 200 000 mandrax on three different occasions, altogether 200 000 tablets, without concerning yourself about the security risk, about the fact that it may get onto the streets, that it may be abused, that it may be re-sold.

GEN NEETHLING: That is absolutely correct. I have no doubt that these things will be channelled in the correct channels, because there were other people who participated in this project, there were other people who isolated this methaqualone and tried to make derivatives of that and they tried to get it into the air with grenades. What I saw myself, it didn't work.

MR VALLY: I will come back to that in a short while. So, you simply did not concern yourself with that?

GEN NEETHLING: That is correct.

MR POTGIETER: General, did Dr Basson give you a receipt?

GEN NEETHLING: No. It was at three instances, at three occasions apart from the dagga, and I did not request a receipt, not for any of those three transactions, not for one of those. I can't remember that I ever saw a receipt. I never requested one. What you have to understand, Mr Chairman, an instruction was given to me, your facility in the South African Police from the Minister to the responsible person, and he said we will try to exercise riot control or crowd control better, assist those people, we can't import that, it is too expensive, it is prohibited. If you buy those chemicals red flags will be seen worldwide because they're monitoring this, and they know that somebody is doing something, that is how they obtain their information to combat the drug problem worldwide, and I didn't have the least doubt that this was a bona fide operation, and after, what I really have to say, it was, because you won't spend hundreds of thousands to establish a laboratory, and that just to sell a few mandrax tablets.

ADV POTGIETER: Wait, wait, what was the idea with the dagga? Was the idea that they extract the oil to see whether it could be used and then to get more and more oil?

GEN NEETHLING: No, to use that oil and put it in a grenade, like an ordinary grenade, instead of teargas, you could add teargas to the dagga oil. We know the people all become hooked where people are smoking dagga. When you can get this dagga into a person, you will take away his desire to fight, quickly, and then we would have clapped our hands.

ADV POTGIETER: Now you'll find out that this dagga is going to work. What would they have done, planted dagga countrywide?

GEN NEETHLING: Yes, they would reaped the dagga and they would put those in grenades all the time.

ADV POTGIETER: And all the mealie fields in the Free State would be converted into dagga fields?

GEN NEETHLING: No, there's enough in KwaZulu Natal.

ADV POTGIETER: So Le Grange and his people would have planted dagga?

GEN NEETHLING: There would have been enough because to know that there's another substance apart from teargas which could take his desire for riots out of his life, and dagga is one of the things we know which will work. We know it works, a person is aggressive, he smokes dagga, then he goes and sits in a corner, and he has peace with himself.

ADV POTGIETER: You weren't shocked that these three drug depending substances ...(intervention)

GEN NEETHLING: To use those drug dependency substances means everyday people must use it, but if you throw a grenade in Church Street because there is a process march, and they want to break the shops down, and this person isn't going to smoke the dagga again tomorrow, it will only be the dagga bomb today. If somebody cause problems, and if you can throw the dagga, this is a philosophy that we said is was like that, and if you give enough, you will force somebody to get to the water like a horse, and they wouldn't do anything else, and then we would have given them dagga and say smoke it, and then it never would have been necessary to use a weapon, and I would have shout Hallelujah.

CHAIRPERSON: Except only if the dagga was a means to an end, the end being to arrest people at the end of the day. Mrs Sooka?

MS SOOKA: General, I have a question, you talked about "hulle" and I assume the hulle was your opposition,

GEN NEETHLING: The riot crowds, the crowds like in Uitenhage and they start protesting and we are frightened, what do I have to do, I don't want to shoot, I don't want to use my Casspir, I don't want to go in there and kill the people, what can I do? I can try to use water canons like they did in Cape Town, it works wonderfully. It works in Germany, one of the most civilised countries in the world, but also teargas, it works in America. In America they use this, but they don't tell us that. When there are problems, quickly the crowds are being controlled with teargas and they walk away like lambs.

MS SOOKA: I'm quite ignorant about chemical matters, and surely if you were shooting this stuff off, it would create dependency in the population?

GEN NEETHLING: No, no, not at all. To be dependant on dagga or to be dependant on methaqualone, it costs you a reasonable time of constant consuming, you don't expect that any person like a professional riot person, there are no such persons.

MS SOOKA: Can I ask you a question, did you ever check with Mr Basson on whether he ever produced this gas and that it actually ended up where it was supposed to, not on the streets?

GEN NEETHLING: I myself saw those grenades, and they didn't work. There was machinery being tested, special machinery being tested to ignite and combust those substances to determine the gas components,

MS SOOKA: You see, I just find it very strange that in a country where we have such an incredible problem with mandrax that you were content to allow such a huge amount to go off into somebody's possession where you retained very little checking at all.

GEN NEETHLING: It sounds like a large number of tablets, it's 50 kilograms. The amount of grams required for one grenade is 30 grams according to the normal procedures. That means that you can make a few thousand grenades, and that would be the end of the story. Those will not make any one person dependant on it, but it will combat the unrest. You don't want that the person will become so angry that he doesn't care whether he dies or not, you want to calm them down. There were techniques where they used helicopters for these grenades.

MS SOOKA: It just sounds so terrible that it wasn't so dangerous, I think we're laughing, but we actually underestimate what you actually got up to. Thank you.

CHAIRPERSON: Dr Randera?

MR RANDERA: General, I understood you to tell us earlier on that you were the Head of Forensic Services for the Police.

GEN NEETHLING: That is correct, I was in charge of six different departments, one of which was, since 1985, the Forensic Department.

MR RANDERA: Right, now riot control, does that fall under - does that come within your ambit as well?

GEN NEETHLING: Oh yes, I had control, I was involved with since we started having riots in this country, since 1976.

MR RANDERA: Just explain to me, how does that fall within forensics?

GEN NEETHLING: Well, one of the things is, how do you apply teargas to be most effective and to be economic, and this is a chemical agent, and a chemical agent ...(intervention)

MR RANDERA: Sorry, Dr hold on. Perhaps I have a very simple view as a support service that the Forensic Department is supposed to be playing, you are supposed to be providing a support to the Police Officers to be making a diagnosis in assisting them coming to a trial, or making ...(intervention)

GEN NEETHLING: Yes, I know what you're saying.

MR RANDERA: That's my understanding.

GEN NEETHLING: That's part of it. That's only part of it, sir. The Policemen, the real Policemen, not a pseudo Policeman like I am, they have various techniques and knowledge the ordinary Policeman does not have. I know the nature of the chemicals we are working with. If a grenade is being thrown somewhere and people are hurt, or it's said the people have become ill, or perhaps they died, where do they run to, they run to me, and then they tell me, come and explain to us what had happened here, is it possible, can somebody die from CS?

MR RANDERA: Hold on, Dr, that's exactly the point I'm making, that you are there to assist in diagnosing, let's say, where CS gas has been used, but you are now telling me that, and you seem to have incredible knowledge about it ...(intervention)

GEN NEETHLING: I hope I do.

MR RANDERA: That you were now getting into an area whereas gas was going to be produced to control these situations.

GEN NEETHLING: That's correct.

MR RANDERA: Now, I, as I - what I would understand from that is that it's actually out of your ambit. That's not within your department to be involving yourself in that.

GEN NEETHLING: No, you're making a mistake. The mistake you are making, as a scientist, the question is posed to me by the Head of the counter-insurgency unit, we are having problems with the grenades, they are not effective. What is the problem, and go to Swartklip, they produce them, see what happens, speak to Swartklip, find out what the problem is. The problem is it is the wrong kind of teargas. It's not being used effectively. Swartklip knows it, but they don't care, they have a formula, they are making their money. Whether we use 10 000 handgrenades per day, or not, it makes a difference because they make the money. For us it is very important to improve it. Now, who is the person

to improve that. I've been sent world-wide, 30 times I went overseas, not for holidays, but to go and speak to scientists regarding riot control. I provided a thick account to the late Louis le Grange where I told him this is what was happening in Israel, in Germany, in England, and we saw what they did there, and only then they brought one or three water canons on that island. And they said, we were frightened because somebody is going to take us on in terms of the law.

In Germany, outside Germany there's one standing at every town, and we said this was a good thing, if for R1000 we could contain a crowd of 100 000 people instead of using teargas to do that, we could save a lot of money. We were the people, I want to explain to you, it wasn't only teargas, it was also our shotguns, these rubber bullets. We developed that for us, "us" referring to a committee of scientists of whom I was the head, chemistry, engineers, and we said, you should not use this weapon beyond 20m, if you use it further than 20m, you can't get anything better, it's not necessary to kill him, you can hurt him, and to tell him, now you're tired of this party, go home. You don't want to shoot him a hole in the head, and this is where we developed weaponry and even today, the world comes to us, we have patents, rubber batons, the caspirs, you find them everywhere, they can't do without this.

We develop systems for explosives right through the world. I was responsible for that, and I'm not ashamed of saying that. I did not get one cent for that because I was working for the State. What I've said, I was glad that I was there, because I think I made a contribution.

CHAIRPERSON: Mr Vally?

MR VALLY: Dr Neethling, let's just go back to your responsibilities as a Major-General in the Police, we're talking about the period of this transfer of dagga.

CHAIRPERSON: Can I get an indication about how long you think you're still going to be with this witness providing for cross-examination and all that?

MR VALLY: I think it will be in the region of 35 minutes.

CHAIRPERSON: Okay, right. He has to catch a flight, when does he have to go?

MR VAN ZYL: I think we can even stretch it till 16h15, Mr Chairman.

CHAIRPERSON: Mr Vally, do you think by 16h15 you will be through?

MR VALLY: Mr Chair, we have an in-house travel agent, we can arrange a later flight quite easily.

MR CILLIERS: There is no....

CHAIRPERSON: Yes, no, but I just wanted to find out from you in terms of what you think you're going to put. Can you try for 15h15?

MR VALLY: I will, I will go faster.

MR VALLY: In your capacity as Policeman to whom drugs were sent for testing, I assume that confiscated drugs were also left under your control in your laboratory?

GEN NEETHLING: They were left in the control of the laboratory per se, that is correct.

MR VALLY: Right.

GEN NEETHLING: Behind locked doors.

MR VALLY: Right. Why would you accumulate such large amounts?

GEN NEETHLING: No, no, we did not want to, we had to, because the Police would steal it otherwise from the bloody Departments where they were working. In other words, when the case was finished, instead of destroying them, some of the Policemen, even at that time, made money.

MR VALLY: Fair enough.

GEN NEETHLING: So we decided, and maybe you missed that thing, we decided that this would be locally stored, and we would take control, and when we had enough, we would go and destroy it.

MR VALLY: Right, now that's my question, why would you accumulate such large amounts, to increase the risk of them being stolen? Why wouldn't you, as the matter of course, destroy an amount immediately after the case was concluded?

GEN NEETHLING: You are not aware of how a laboratory functions, and if you want to go to a laboratory and see the evidences pouring from the doors, from the windows, there is no time to think about that, except if you have a schedule, like we have. Once per year, or when the storage places are full, then we had to get rid of that. It was not a determined time, indefinite, you don't know when these cases will be finalised, some of those cases last 10 years.

MR VALLY: Now, you would have a reason to destroy drugs only if the case is complete?

GEN NEETHLING: That is correct.

MR VALLY: So once a year when you were destroying drugs, you wouldn't destroy all the drugs, you'd only destroy the drugs in relation to cases which are completed?

GEN NEETHLING: That is correct.

MR VALLY: Why would you accumulate such large quantities of drugs?

GEN NEETHLING: Because one case could bring you 10 000 and 30 other cases would bring in many more.

MR VALLY: You just told us you destroyed these drugs once a year.

GEN NEETHLING: That is correct.

MR VALLY: It seems like an incredible security risk.

GEN NEETHLING: It might be like that for you, but at my time there was no security breach at all.

MR VALLY: Yet you would let 200 000 tablets, put it in the boot of an individual who drives off, without any concern on your part about security. When you earlier said that you didn't trust the Policemen because they may sell the drugs again onto the streets.

GEN NEETHLING: Policemen are not medical doctors, he has the right to put it in his boot.

CHAIRPERSON: ...(inaudible) not just an ordinary person, he was not even in that case, he was a medical person, coming from the State Army or a State Army component, and that's the basis on which he relied on him being the recipient of it. I don't think he's going to improve on that.

MR VALLY: Fine, I'll move onto another issue, Mr Chair. As a chemist, if you're conducting tests on whether a substance can be effectively used in the form you wanted it to be used, to be mixed with other constituent elements which would allow it to be used in teargas, or to make it water soluble, why do you need such large quantities ...(intervention)

GEN NEETHLING: They're not large quantities.

MR VALLY: For the, no, let me finish, for the testing of the suitability of those drugs, because you were justifying the large quantities to, I believe, to Ms Sooka just now, saying, that's not so much, it's only 3000 teargas grenades. I'm putting to you that you hadn't even determined whether it was effective or not yet, you hadn't even tested it. You complained that the heat destroyed the active element, the methaqualone and therefore it wouldn't be of any use. You've earlier told us that in your laboratory you only worked with small quantities, that's how chemists work. You first do the test in small quantities, and thereafter you mass-produce if it was, if your thesis is correct.

GEN NEETHLING: That's not true. I said, and I repeat, listen well, 50 kilograms, 33 grams per grenade, that means, just hang on, let me finish ... (intervention)

MR VALLY: I'm so sorry, I did you correctly the first time.

GEN NEETHLING: Okay.

MR VALLY: I did hear you correctly.

GEN NEETHLING: That is why we had very little to work with.

MR VALLY: I ... (inaudible) that as a chemist and a scientist, that you do not need to make a few hundred or a few thousand grenades to test the effectiveness of a certain chemical substance under certain conditions.

GEN NEETHLING: You're wrong, you are absolutely wrong. I don't know what your profession is, but if you are a scientist, then I'm scared of you. A chemist is not a pharmacist, and there are people in the audience who cannot speak Afrikaans very well, but a chemist is not a pharmacist, he's a scientist. As far as I'm concerned, if you just want to go and look what means a pilot plant to say that today I'm making a grenade for the Defence Force. That means a few thousand grenades before one is released in this that it's good enough. We had the biggest trouble to make, to get a few hundred grenades of CR gas operative, and we used a few thousand.

MR VALLY: We're not getting much further, but if the issue is the effect of heat on the chemical and the destruction of the active element of that chemical, I put to you, that it would not have been necessary to supply the quantities you supplied.

GEN NEETHLING: You are wrong, Mr Vally. The reason is very simple, for 30 grams in a grenade which you want to process effectively, you cannot come with small quantities and expect to change it back into large quantities, that's not how it works. You do the formulation, you do your best, you do your measurements in a small apparatus, 20/30 grams. Thereafter you go and you produce a larger grenade and you burn it and you get the gasses, and you are lucky if you get an answer the tenth time.

MR VALLY: Let's go on. You were very please with the results that you obtained *vis a vis* CR gas, is that correct?

GEN NEETHLING: Yes, we were very happy with that.

MR VALLY: And you saw it as very effective means of crowd control?

GEN NEETHLING: That's correct.

MR VALLY: To use in anti-riot situations in South Africa?

GEN NEETHLING: That's correct.

MR VALLY: We've had Dr Koekemoer here giving evidence, saying that CR gas, or may I should ask you one more question before that,

GEN NEETHLING: Please do.

MR VALLY: And was it used on a large scale in South Africa?

GEN NEETHLING: It was used on two occasion of which I know, and then thereafter, twice operationally. How many are being made now I do not know. I do not know what the total capability was of CR production.

MR VALLY: I'm not asking you that, what I want to know from you, is was it issued as standard anti-riot equipment after its approval?

GEN NEETHLING: Not at all. During my time it was only tested, I have the papers that I can show you. It was approved by the Head of the Defence Force by the Minister of Police to say, go ahead, do your tests. We did tests on our own people, on two occasions. I was part of it each time. I went through all the suffering to be able to say, we are satisfied, these things are 100%. Thereafter it went to the Defence Force, Quartermaster of the Defence Force, because you cannot use anything that hasn't been approved by him. There it was approved that manufacturing could take place of that grenade, and it was known by a code number. Only the chap who was the operator says that, I'm going to use it, and then they would evaluate the effect thereof. They used it on two occasions which I know, and they said that they had never yet used so little smoke and had such success.

MR VALLY: ...(inaudible) it was approved for anti-riot control within South Africa?

GEN NEETHLING: As far as I know, the Quartermaster-General gave the Police permission, and I do not know how many of them were made, because he himself also took of them, but Swartklip can give us that information. On two occasions we were given grenades, and we used them, but I do not know if they were made after this again. I don't know what the reason could be, whether it was the ending of the project, I don't know, but CR gas was only used on two occasions, operationally,

MR VALLY: What I want to put to you is, and we have submitted that document, Mr Chair, it was attached to the affidavit of, I believe, of Mr Enslin, showing the production.

GEN NEETHLING: Yes, Mr Enslin Smit of Swartklip, yes.

MR VALLY: It was given to you, I believe, not to you Gen Neethling, but to your legal team.

CHAIRPERSON: I think, Mr Vally, there's a difference of opinion, I don't think the annexure was there by everybody else's.

MR VALLY: The annexure was there, Mr Chairperson, but we said that that would not be released to the public for reasons of proliferation, but it is there.

CHAIRPERSON: Okay. Production quantities,

MR VALLY: That's correct.

CHAIRPERSON: Yes, I think it was.

MR VALLY: I put it to you that Dr Koekemoer told us this hearing that he would not have approved, and he was the person at Delta G responsible for the manufacture, that he did not believe and would not have approved of CR gas being used within South Africa. He had no problems with it being used outside, but within South Africa, because of the toxic effect it had on the environment, because it stays in the environment for a period of at least, I believe he said 17 years.

CHAIRPERSON: Five years.

MR VALLY: Is it five years.

CHAIRPERSON: Minimum five years, yes.

MR VALLY: I beg your pardon, a minimum of five years. Now, you say that this was approved to be used as an anti-riot measure when it has this effect on the environment and that made toxic the environment for at least five years?

GEN NEETHLING: Mr Chairman, with all respect, I do not want to differ with Mr Koekemoer's opinion, but I do want to say that I think Mr Koekemoer doesn't know much about this. He has not yet walked through the smoke of a grenade, but he made the active ingredient of CR gas. What happened to it thereafter and what the smoke looks like and what the concentration thereof is on the environment, Dr Koekemoer knows nothing about that. Point no 2, the information that Dr Koekemoer received about CR is what he got from me, from no-one else, because it doesn't just lie there, you have to search for it, your colleagues abroad, you don't just obtain it very easily, and I would tell you this, that I had no concern whatsoever that there could possibly be traces of CR in the environment after I had thrown a CR or a teargas grenade containing CR gas. It would not hurt anybody, it wouldn't make a frog sing, nothing, because the environmentalists are very concerned about something they do not know anything about, and I want to tell you that we saturated areas with CR in Malierskop where a week later we operated, and nobody even complained of an itch, and I want to tell you this, while it is active and it chases you around, so in the end you do not know where to touch and where not to scratch. There is

no area, not Malierskop or any other place where we heard afterwards that we had made a mess because the environment is polluted.

MR VALLY: Unlike CS, if you wash your face, you are actually re-activating its effect on you.

GEN NEETHLING: The reason for that, Mr Chairman, is very easy to explain. First of all, CR is much more potent in its efficiency in minuter quantities than CS. Secondly, because it is also lipid soluble, in other words, it dissolves in fats of your skin, it is less soluble than CS, which will disappear, you can wash it with water. Then, when you put water on again, you re-activate the feeling, you know what I mean, that means getting an itch again. But that disappears, I mean, I've went through it myself. Mr Koekemoer may have felt CR while he was making it, I'm quite sure he did, so he knows, when he went home at night, he would be itching like crazy, and I tell you now, after walking through that CR gas that we produced in the grenade that was approved by the Quartermaster-General from the Defence Force, there was no ill-effects afterwards. The next day I was quite happy, and I'm one that if it wasn't, I would have said, wait, that's not right, let's formulate again.

MR VALLY: And that wasn't the case. Mr Chair, I'm trying to rush, but bear in mind that Gen Neethling has got a lot to say.

GEN NEETHLING: When you're asking me I have to answer you, sir.

MR VALLY: Sure, as long as, with respect ...(intervention)

CHAIRPERSON: Mr Vally.

MR VALLY: Could I just go on. Do you know anything about the biological, chemical biological ...(intervention)

CHAIRPERSON: Mr Vally, can you, Mr Arendse,

MR ARENDSE: Can I also just add that not only is Gen Neethling saying far too much that what he's asked to say, there's also a lot of detail which is beginning to concern us, which is quite unnecessary and irrelevant to the enquiry.

CHAIRPERSON: If at any time there is a concern that he is doing so, you must please indicate the onus of it, and if it will facilitate your task for Mr Kennedy or anybody from your clients to sit next to you so that you can quickly intervene, then appropriate arrangements should be made for you to sit next to him.

MR ARENDSE: Yes, I don't think it's appropriate for me to interject at every term. There's in fact a number of things which we've picked up throughout the

course of Gen Neethling's evidence thus far which concerns us, but it's just something I'm registering at this point, and that's all.

CHAIRPERSON: Thank you. Mr Vally?

MR VALLY: Would you say that your knowledge of the Chemical and Biological Warfare project only extended as far as production of teargas and considering using dagga, LSD and mandrax in teargas, as well as the dog breeding programme, or did you know more than that?

GEN NEETHLING: Mr Chairman, that is a question that I cannot just say yes or no. Let me tell you what I know, that's easier. What I do know is that Delta G had a capability to make anything, no matter what. They had a synthetic ability which is the dream of every synthetic chemist, but the biological side, I've heard about this, very little, and I knew that there were biological peptides which were synthesised or they were trying to synthesise. There were agents such as snake-bite and biological no, not at all...(intervention)

MR VALLY: I want you to look at document TRC 14, your attorney has it. I'm referring to page, stamped no 4616.

MR CILLIERS: If my learned friend can just indicate where it comes from. No documentation was given us for Dr Neethling, he was only given a subpoena, and if you can just indicate to use where we can find it and give us one of the bundle of documents of the other witnesses whom we also represent, then we'll be able to find it.

MR VALLY: Mr Cilliers the extension of bundles for his other clients, we did this morning give him this particular document again, and we pointed out the paragraph to him.

MR CILLIERS: We have found it. Paragraph what?

MR VALLY: The 12th paragraph.

MR CILLIERS: On what page?

MR VALLY: The ...(indistinct) number is 4616, the typed number is 6.

MR CILLIERS: Yes, top paragraph?

MR VALLY: Top paragraph,

"Dr Basson also mentioned that Major-General Lothar Neethling was fully informed regarding project Jotta. Dr Basson and General Neethling are using one another as sounding boards in the development and use of certain commodities. Dr Basson, however, also mentioned that due to the court case regarding CCB activities, whereby General Neethling was involved, that he could possibly be embittered and be regarded as a wounded lion."

And this document is signed by Head of Staff Information, Lieutenant-General van der Westhuizen, for the information of the Surgeon-General. So Dr Basson seems to indicate that you knew fully the production of all the commodities in terms of Operation Jotta, which included, I submit to you, both what Delta G was doing, and what RRL was doing.

GEN NEETHLING: May I answer. I would like to say to you that what stands here is an outright lie, the name Jotta I have seen or heard for the first time today. I've never heard of it in my life. I deny that I was informed regarding this project. I deny that I knew of any project of the Defence Force at any time. I never had any information as do the Ministers and the Deputy-Ministers of Defence, because I was a pseudo Policeman, that's point no 1. Point no 2, the person who compiled this document must have his head read, he is ashamed to give me what's my due, because he signed this information on the 25th of March 1992, coming from the Defence Force with a strong discipline signed, Lieutenant-General C P van der Westhuizen. I am seven years his senior. For seven years I had already been a Lieutenant-General, when he was in his baby shoes, and he - I do not even want to blame him for that, but this is counter-information which is not worth the paper it's written on. This is something that I have never known, the first time that I heard the word CCB was during the Harms Commission. I was not informed about CCB activities, now it says that I am a embittered, wounded lion. They must have their head read. I am not at all cross with Dr Basson, I still respect him as I did 15 years ago. That which I read about him recently, I do not want to believe that. I would like this case to go to criminal court, that he can be found guilty of something which I do not think he is capable of doing. Paragraph 22 is a lot of nonsense as far as I'm concerned, but if I look further at what they say about Jotta, then I agree that I know what Medchem is, I know what Delta G is, I know what Roodeplaat is and I know what Protechnic and Technotec is. I have heard about Lifestyle, but I have had nothing to do with them yet. Protechnic, I've purchased things, we've had things tested there, gas masks, etc. Official Armscor channels were used with Protechnic, same with Technotec. This whole programme of BSB is a misnomer, the programme called ABC, but the "A" is being left out, but perhaps we are ashamed of it. In Afrikaans it's nuclear warfare.

MR VALLY: You've made your point, you denied ... (intervention)

GEN NEETHLING: I am angry if I see this document that such nonsense is being shown to me. I'm not only denying it, but ... (inaudible) is a maniac and a

liar, and if it was C P van der Westhuizen, I say to him categorically just like the President said to General Meiring, why do you give me this rubbish.

MR VALLY: Right, thank you. For the record, it's a letter dated 25th of March 1992, enquiries Lieutenant-General (Joffel) van der Westhuizen, who is the Head of Staff Information, and it was for the attention of the Surgeon-General.

GEN NEETHLING: He's here, you can ask him.

MR VALLY: I certainly will.

GEN NEETHLING: Thank you.

MR VALLY: I want to ask you another question. I refer you to TRC 111, we have ...(intervention)

GEN NEETHLING: Yes, I got that just now.

MR VALLY: Okay.

GEN NEETHLING: At the start, what page, this is a rather lengthy document.

MR VALLY: It is a lengthy document. I did mark off the specific page for your attorneys at some point. This is the Steyn report, the heading of this report is, "Staf geskryf vir die - Steyn Commission regarding risky activities or SA components". I refer you to page B11(iii). I think ...(intervention)

GEN NEETHLING: I got it, B11, yes.

MR VALLY: We first gave your attorneys just those two pages, then we gave them the full report.

GEN NEETHLING: Thank you.

MR VALLY: Now, you see the headings on top?

GEN NEETHLING: Yes, "persons involved in so-called poison murders".

MR VALLY: ...(inaudible) "persone betrokke, Brigadier W Basson, Generaal Lothar ...(intervention)

CHAIRPERSON: What page are you reading from, Mr Vally?

MR VALLY: It's B11, Mr Chairman, B11.

CHAIRPERSON: B11 of TRC 111.

MR VALLY: And (iii). It's where the tables are.

CHAIRPERSON: Carry one.

MR VALLY: I don't know if you want me to read it out to you, let me do so quickly,

"From the old group Charles Naude, Special Forces (CCB), a group under the leadership of Brigadier W Basson which executed all elimination commands or orders. General Lothar Neethling was intimately involved (evidence of these specific members obtainable). Under evaluation it is recommended that all the

information in the previous column be read first. From the allegations are many questions which have to be answered before a meaningful evaluation can be made. Due to the allegations ...(intervention)

GEN NEETHLING: Perhaps I should continue.

MR VALLY: Please.

N NEETHLING: "the allegations, it seems as if there could possibly be truth in some of the allegations. Reporting received during December 1992 alleges, amongst others, that certain members of DLE rushed around with Goldstone's visit because there were beer cans doctored with poison. The explanation for the presence of the poison was that the Special Forces were to distribute it in Mozambique. The Special Forces poisons received from Seventh Battalion which can be received, it's a poison which is a new product which can be applied in any way, made available by Brigadier Basson, however, it's not possible to make a meaningful evaluation before affidavits are obtained and further investigation is done."

What is your question?

MR VALLY: Do you see the allegation in this Steyn report regarding your, and the word is not mine, the word is, I believe, "General Lothar Neethling was intimately involved".

GEN NEETHLING: Just read the sentence before that, it says, "all elimination orders were supposed to have been carried out". Let me just reply please, I want to say this to you. It is the first time that I've seen that a Steyn report wants to incriminate me for whatever reason.

CHAIRPERSON: In your opinion that's correct, well not correct, but I read what I see, it does not appear that this is the Steyn report. You know there has been a lot of dispute whether there was or was not a report. It seems to me if you look at TRC 111, it says, "Staff memo for the Steyn Commission". It is documentation that possibly was put before Steyn that may have then lead to the so-called report. Whether it was ...(indistinct). So, we're not talking about the Steyn report here, but I suppose you know it was ...(intervention)

GEN NEETHLING: I agree, Mr Chairman. Thank you for clearing this matter up. In any case, as far as I see this document, this is very beautiful, the same category as this one that was TRC 14, as far I'm concerned I do not deny that I have had a very close relationship with Dr Basson, and I will tell you exactly, I was with him four times overseas. We've had many hours on the aeroplane, which becomes very uncomfortable, we've had many hours together after-hours at symposia, and at certain instances where we were negotiating technology

which is for the good of this country and which was for the good of the South African Police. That's why I was involved. Four times I went with him overseas, and people can easily, very easily deduct that when the Chief of the Defence Force gives me, he asked me to please accompany Dr Basson to give them cover so that they think that he's possibly a medical man, he's involved with the Police, that was his cover, and I was not afraid, because everybody knew me, they knew exactly that I was a Policeman. I did not have to hide it, and that was a cover and I was proud to be involved in this project. Where we went to Zurich, to Germany, to London to get equipment for us which we needed because there was a war going in Angola where there were chemicals used and we were standing there, we had nothing to protect us, nothing, and we got experts from overseas to testify to that. We went to the highest authority known to Europe, the United Nations advisor on chemical warfare which had seen atrocities in Iran, he was in Angola. We talked to him in Brussels, in Kent at least, I'm sorry, and I was intimately involved ...(intervention)

MR ARENDSE: Chairperson, can Dr Neethling stop, unless there's any value on that evidence?

CHAIRPERSON: Yes, I'm afraid I was going to begin to say so. You know, I think the essence of your agreement with the Ministry is not so much only on proliferation, it is also to the extent that third parties with which this Government has got to relations, unless the matter is absolutely ...(intervention)

MR VALLY: From my own perspective I would respect the position, except for what issues, he's the expert in Belgium, we're talking about Dr Hendriks.

GEN NEETHLING: That's correct.

MR VALLY: Well, with respect, Gen Neethling, we've had Mr Charles van Remoortere here, who you do know,

GEN NEETHLING: Yes.

MR VALLY: And Mr van Remoortere has confirmed that this Dr Hendriks has been convicted of fraud in Belgium, as well as academic fraud.

GEN NEETHLING: Yes, that's quite correct. Let me tell you, and ...(intervention)

MR VALLY: Sorry, is he your expert you're talking about?

GEN NEETHLING: I'm talking about not only Dr Hendriks, I'm talking about him being in Angola. I'm saying that the two international symposia that we attended was sponsored by the United Nations. He was used as an expert by the United Nations in the Iran/Iraq conflict. He was projected to the world as one of the biggest experts on chemical warfare and that's how we knew him.

MR VALLY: Whether he had been convicted of fraud and academic fraud?

GEN NEETHLING: Wait a minute, whether he in his department afterwards, after we met him in 1984, first time, I would not know. I saw him three times in my life, 1984 and 1986 and again in 1990, when he was here, walking through Angola dust, and checking the chemicals that were used there. He visited my laboratory, and he went off. That's how I know him, and I'm saying to you I have no idea what atrocities he did as far as academic forgery is concerned, and I have no idea why United Nations would use him as an expert the way they did.

MR VALLY: I'm just worried about time, Mr Chair, but I am really being forced into a situation where I have to wait for the answers. I have lots of questions left, Mr Chair, and I need your direction, I can confine it to just a few if you think under pressure so I know which ones to focus one, or I can ... (intervention)

CHAIRPERSON: We had an arrangement for quarter past, we're well past quarter past.

MR VALLY: Alright, in that situation I will ask two more questions. Firstly, Dr Koekemoer said he came to you personally because he was concerned about an order he got to manufacture ecstasy and instead of assuring him or advising him that this is illegal as a Policeman, or a pseudo Policeman, I can tell you that you should not be doing so, or I will take it up for you, you instead talked about better chemical methods to make the ecstasy. But that the understood that you approved of them manufacturing ecstasy. How do you respond to this?

GEN NEETHLING: I respond as follows, sir. Dr Koekemoer came to me at a party at a mutual friend who turned 40, naughty 40, which I attended. I attended that party and I was retired from the South African Police. That was after August 1992, and he came to me and said, what do I think of producing ecstasy for use of a mood-changer. I said I think it can work, I think it's a fantastic idea, but I've got a problem, I think the molecule is unstable. That's all I said. If he infers from that that I gave consent for something I couldn't give consent, he is dreaming, maybe he's under the influence of ecstasy himself. I have never had ecstasy in my laboratory while I was working there. I have never seen one microgram of ecstasy while I was in the laboratories active, never. I believe they are now running ecstasy everyday, but that's not the point, the point is I tell you, that I would not have given him consent the way he's saying that I say, go ahead, Koekies, carry on and make the thing. I said to him, Koekies, that molecule in my opinion, whatever it's worth, I'm a retired pseudo Policeman, I do not think will make it.

CHAIRPERSON: In all fairness to the witness, he said Generaal, you were more interested in the chemistry than the science and I think from what you say, that ...(intervention)

GEN NEETHLING: That's correct, that's what I said. Yes, I said to him, the chemistry tells me this molecule will not make it.

CHAIRPERSON: But I accept that you know the inference he seemed to be drawing that far from you discouraging from doing something which you thought might be abused if it fell into the wrong hands, far less effective if it is manufactured by people at that level. You didn't seem to concern yourself with that side of chemistry, because you were interested in the science.

GEN NEETHLING: No, not at all, that's correct. I was not concerned at all about possibilities. I said to him, it's worthwhile trying because it's such good mood changer, it's a fantastic mood changer. If I can get this into a grenade, I will have no nonsense with nobody, you know what I mean, I'll break up all these little tits and tats between man and woman, just like that. The Police would have no jobs, I'm telling you. So, I'm telling you the bloody molecule is ...(intervention)

MR VALLY: I have questions left which I want to get in please.

CHAIRPERSON: Yes, Mr Vally. Order please, order.

MR VALLY: What better form of a crowd control could you have than to get the most rebellious element of the society you were in, black youth, addicted to mandrax?

GEN NEETHLING: What better crowd control could I have?

MR VALLY: That's correct.

GEN NEETHLING: I would like to have no rebellious blacks, I would have the best crowd control.

MR VALLY: So, you would have no problems with creating a situation if it was possible, to create an addiction to mandrax amongst the youth in the townships?

GEN NEETHLING: Listen, sir, let me ask you, let me say this to you straight, and I'm happy that Professor Forbes is sitting next to you. Never, ever, in all my discussions we had with many people, the term addiction was risen once by me. I have no hesitation in saying to you, the way this is applied will not addict anybody, never. You will not come back tomorrow and say let me make a riot again so that we can get a sniff of that ecstasy.

MR VALLY: The question is very simple, what better form of crowd control could there be than to get an enslaved ...(intervention)

GEN NEETHLING: No, there's no question of enslavement here, there's no question of ever saying we want to addict people to CR or to dagga or to mandrax, or what, that was never the case. The case at hand is to try and change the mood, and mood changes are done with very small amounts, you do not get addicted by using it once or twice, that's not true.

MR VALLY: You know mandrax is an addictive drug?

GEN NEETHLING: Oh yes, sir, I do indeed.

MR VALLY: And a dangerous one at that.

GEN NEETHLING: Dangerous like what?

MR VALLY: Dangerous to the health.

GEN NEETHLING: No, we have never - there are no people dead ... (intervention)

MR VALLY: Dangerous to society?

GEN NEETHLING: Dangerous to society, yes, because they get virtually uncontrollable at some stage when they are in this process of getting to the high, they can become very difficult. I've seen that myself.

MR VALLY: General, in your various trips and dealings and associations with Dr Wouter Basson, and in your visits to Roodeplaat Research Laboratories, were you ever aware that they were making toxins?

GEN NEETHLING: No, sir, never aware. Never was the word toxin used by Dr Basson as far as production is concerned, in any dealings I had with him at any time.

MR VALLY: Were you never aware that he produced any substances which could kill people.

GEN NEETHLING: No, no, I knew that they were trying peptides, I knew that they were trying ... (intervention)

MR VALLY: What for?

GEN NEETHLING: They were trying to make the same things, changing mood, changing mood of people. Peptides are extremely nice things to have.

MR VALLY: So they're only making friendly drugs, they were not making any poisons.

GEN NEETHLING: No, no, we're saying friendly drugs, that is an overestimate, I mean, we're not saying drugs, we're saying chemical substance that will change your mind. Alcohol changes your mind.

MR VALLY: I see, they were not making any toxic substances as far as you knew?

GEN NEETHLING: No, not that I know of, sir.

MR VALLY: And if there were, what would you have done?

GEN NEETHLING: I have never been to that part of the buildings that were built by Roodeplaat. I was only concerned with the detection of explosives, and what I saw on my second visit to Roodeplaat, I was privy to an operation on a rat, which technology was attained in order to change the rat so that it can detect explosives for VIP protection. These are techniques that we picked up overseas. This is a whole industry which is extremely important to have for any country, and they showed me that on the same basis as the Dessert Mouse which can detect explosives to levels which are unknown even to dogs. They found out that they can change a little part in the brain and then this rat when it smells at that same level any explosive, it becomes extremely excited, and that is used to protect your VIP's, your presidents. This used - there's many things going on ...(intervention)

MR VALLY: Are you giving us a justification for what he was doing?

GEN NEETHLING: No, no, I'm saying that was the only time I was in a laboratory when they were still close the road, they were building the new ones, I've never been to the new one except in 1993 when I delivered a sample ...(intervention)

MR VALLY: If Dr Basson has asked your for some toxins ...(intervention)

GEN NEETHLING: I have no toxins.

MR VALLY: If he had asked you, what would your reaction had been?

GEN NEETHLING: Go to Onderstepoort.

MR VALLY: Go to where?

GEN NEETHLING: Onderstepoort.

MR VALLY: I see.

GEN NEETHLING: Veterinary Research Institute. They are using botulism everyday by the ton, by the ton.

MR VALLY: I'll remind you what you said in your trial ...(intervention)

GEN NEETHLING: My trial, what trial, I had so many?

MR VALLY: What trial is this now, please,

GEN NEETHLING: I don't know which one.

MR VALLY: Lothar Neethling versus Max du Preez ...(intervention)

GEN NEETHLING: Oh, that's my favourite one.

MR VALLY: And I read at page 1468,

"If Dirk Coetzee had come to you to obtain poisons and knockout drops, what would have happened then as far as you are concerned",

Your response was,

"I can think of many things. It depends certainly in which way he approaches me, whether he comes to my office, or whether I meet him in the passage, or where, my reaction would be exactly the same. I would probably chase him and I would probably have picked up the telephone and called the Commissioner or the ...(intervention)

GEN NEETHLING: I still repeat what I've said, what is the question?

MR VALLY: Do you ...(inaudible) to Onderstepoort to get toxins, whereas you said in this case that you'd get the person arrested.

GEN NEETHLING: You're missing the point, you're missing the point, sir. You're making an inference which does not exist. We also discussed things like appearances in the newspaper which says the Russians are working on virus which only works on Negrite skin, you know, this is rubbish, this is the same thing as saying, I would love to have toxin which puts everybody to sleep when I want, because then I will have no problem with the population when they become out of hand. Any country in the world would like to have something like this, and as a matter of fact, some of our most advanced countries do have things that will scare you, you who are afraid of addition, sir. I think they got things that really make you scared, which has got nothing to do with addiction.

CHAIRPERSON: Mr Vally.

MR VALLY: This is my very last question. The reason I quoted this to you was, you made an amnesty application which you subsequently withdrew ...(intervention)

GEN NEETHLING: Which I what?

MR VALLY: Subsequently withdrew.

GEN NEETHLING: No, no, I didn't withdraw it, I was forced to withdraw it. I'm happy you're asking my this, because I want to have a press conference after this in any case, to clear up a few things ...(intervention)

MR VALLY: Mr Chair, I would like you to take note of that in view of the fact that we are pressurised for time here, and I'm being forced to cut my leading of ...(intervention) short,

CHAIRPERSON: Mr Vally, you're taking more time, I've taken all the notes.

GEN NEETHLING: Let me quickly respond, Mr Chairman. As far as I'm concerned, I asked for amnesty, I said I would like to ask for amnesty for anything that could be laid before me of which I do not at this point in time have any knowledge of. I do not know what they came with, like this "teeninligtingsinformasie", this is rubbish. Now, I don't know what they can come up with in the future, then I would like to say, if something like this does

occur, and then I got the answer back from the Amnesty Committee, you cannot do that, sorry, unless you state the incident and the time, we cannot even look at you for amnesty, and please withdraw, and I said, under those circumstances if you don't want to help me, I have to withdraw, what else can I do. I can't go in front of the Amnesty Committee on my knees and beg them, please reconsider, I've got it right here, I've got all the papers here, they sent it back to me. So, I did not withdraw it, sir, please let the record speak for itself, the Amnesty Committee told me to withdraw unless I specify the deed and the time and the place, which I said I cannot do.

MR VALLY: Mr Chair, for the record, I want to do two things, I want to read the letter sent the by Amnesty Committee to General Neethling into the record, and I also want to refer to General Neethling's amnesty application.

Very briefly, the amnesty application said as follows, ...(intervention)

CHAIRPERSON: Mr Vally, can I just establish, what is the purpose?

MR VALLY: Well, the purpose directly relates to my previous question regarding the case of General Neethling and Max Du Preez. That's why I asked that question, because the amnesty application refers to that case.

CHAIRPERSON: I'm just wanting to find, where does this all lead us in terms of this particular enquiry that you are referring to.

MR VALLY: That is, or was General Neethling in terms of what he states in his amnesty application saying that the allegations or any possible evidence given by him in the Max du Preez case was incorrect, or the allegations against him was correct, I'm not clear. General Neethling can answer the question, but I want to read what he said in his amnesty application, it is not altogether clear, but for the sake of the Amnesty Committee I also want to make clear what they told General Neethling, because there is a distortion, as if he was forced to withdraw his amnesty application, when this is not the case.

So the first issue is a question relating to his amnesty application, the second this is, for the record, so that understanding of what position of the Amnesty Committee was.

MR CILLIERS: Mr Chairman, with respect, my learned friend says he wants to set the record straight because there are allegations made regarding the Amnesty Committee. We are pressed for time and if I read the situation correctly, this will cause a debate which will take time and it will take away the right from other people who would like to pose questions. If Mr Vally wants to put the case right with the press afterwards, it is his right to do that.

CHAIRPERSON: Mr Cilliers, I don't know where this thing is taking us and I certainly - if you want to put a specific thing to Mr Neethling as to whether, whatever it is, I mean to read this thing into the record, he has told us he made an application, that application was rejected on the basis that he states, and I want to know the further question, where does it take this particular enquiry to?

MR VALLY: Mr Chairperson, there are two issues here, the one is directly related to the enquiry which is the subject matter of his amnesty application, which, and it's very short, and the second issue is an allegation he made against the Amnesty Committee which is false.

GEN NEETHLING: I made no allegation against the Amnesty Committee, sir. Please repeat that allegation if I may, I'm stupid, I'm not a legal man, please tell me.

CHAIRPERSON: And where does it take the enquiry into the use of chemical and biological warfare in the programme in the perpetration of violations of human rights, Mr Valley, with respect ...(intervention)

MR VALLY: With respect, Mr Chair, the first issue regarding the amnesty application relates to poisons, etc as referred to in the Lothar Neethling versus Max du Preez trial. That's why I quoted that passage regarding Dirk Coetzee.

CHAIRPERSON: Why don't you put it to him? Why don't you put it to him ...(inaudible)

MR VALLY: Thank you, Mr Chairman, if you give me a chance, I will.

CHAIRPERSON: The allegation was made that you did ABC and D. You don't have to go through the torturous process of referring to his amnesty application. I think that case is common cause, in fact he quotes it ...(indistinct) reversing the amnesty application, even gives you reference, 1994(1) SA708(d). Put the allegations to him.

MR VALLY: My question is this, you reported to apply for amnesty and I quote,

"In the light of previous events when evidence was published against me, see Neethling's case, if it is so, I ask cordially for amnesty as asked for by Bishop Desmond Tutu for all of us to participate in the process and the Amnesty Committee said",

You had not specified the acts for which you are asking for amnesty. My question is this, are you saying that the allegations made against you in the case of Lothar Neethling versus Max du Preez, are in fact true and you're asking for amnesty for those?

GEN NEETHLING: No, sir, I said if they come with the same lies regarding any other incident, I would like to now ask amnesty because I want then to, like this year, I mean I'm extremely disturbed about this document which says that I know anything about Jotta. This is a complete lie, now, it's so easy to brand a guy. Let me tell you, sir ...(intervention)

CHAIRPERSON: Can I ask a question, General, do we understand from your application such as it was, that you were seeking an opportunity to put the record straight in relation to all the allegations that had been made.

GEN NEETHLING: That's correct, and if the Amnesty Committee was the vehicle that was available, that was the vehicle you wanted to use.

GEN NEETHLING: That is correct, sir.

CHAIRPERSON: Are you saying we shouldn't construe this as having been an admission of any of the allegations that were made in the cases referred to?

GEN NEETHLING: Absolutely correct, sir, because that's why I said I cannot supply the Amnesty Committee any further detail because I do not have it. If I had this document at the time, and I think it would have been relevant, if I had this document TRC 111, I would have referred to as that I said, I deny this, it's not true. I did not have this document, sir, I did not have this document. I would have referred to that as ...(intervention)

CHAIRPERSON: I think the difficulty that we have is that you possibly did this without having benefit of legal advice because, I mean, you wouldn't - had you had legal advice, you would have been told that you do not use the Amnesty Committee process to deny allegations against you.

GEN NEETHLING: Sir, ...(intervention)

CHAIRPERSON: You actually use them to admit allegations against you so that you can amnesty.

GEN NEETHLING: Let me tell you how this came about. I was asked by the Commissioner, the previous Commissioner of Police, General Johan van der Merwe, he said to me, Lothar, in view of this request, almost begging, of Bishop Tutu regarding participation, we have decided to ask anyone, please apply for amnesty. I said to him, but I cannot apply for amnesty, because I don't know what for. He said: "Don't worry I'll send you the forms." I got the forms from one of his couriers delivered to my house. I filled in that form at about quarter past nine at night and it was said to me: "Don't worry about the under oath we will do it at the office." And it was gone. I didn't even think it was not by oath. So there it was. And then it came back to me a couple of almost a year later if I remember correctly the time. And it said: "Please give

me more detail." I said I can't and then they said: "In that case please withdraw." I said: "Then I have to withdraw. I cannot do anything else." And then I withdrew.

CHAIRPERSON: Mr Vally.

GEN NEETHLING: But on this point Sir may I ask your indulgence for 5 seconds. I was born in 1935 in Germany. I left Germany in 1948 at the age of 13. The war ended in 1945 and if you read the press you will see that I am being accused of having had 5 years of Nazis training, 5 years of Nazi training which means I started at the age of 5 to become a poisoner and I resent that. It destroyed my life. Simple irresponsible journalism and this is happening in this country every day. And I am making part of this process the way I see it coming out of here not what is said here but what is written. And this is written words, these are written words. This is deadly poison. This is what this is.

MR VALLY: General Neethling.

GEN NEETHLING: Yes Sir.

MR VALLY: Have you ever been in Doctor Immelmann's walk-in safe?

GEN NEETHLING: I have never been in Doctor Immelmann's office. I was surprised to hear that I was accused of being one of the two frequent visitors. I have never been in Immelmann's office. I am telling you. And I have two suit cases with which I went to work and none of them can be bulging because they are fixed form. There is one of them. The other one is the (...indistinct) It cannot bulge. This is ridiculous. And I don't know why he said that. I would like to see him there and ask him: "Please why are you not telling the truth? Why are you bringing me into a situation which does not exist." Let Immelmann ask you. Let anybody else ask you. I have never been in Immelmann's office, never.

These are the sort of allegations which are being thrown into the world which makes Max du Preez very happy because he says now he is going to get me again. He can try.

MR VALLY: You are of course aware of the allegations Doctor Immelmann made in his affidavit? It has been shown to you?

GEN NEETHLING: I have no idea what Immelmann said. I have nothing from Immelmann.

MR VALLY: No I am sorry. Not Doctor Immelmann's affidavit. I beg your pardon.

CHAIRPERSON: You wanted to say van Rensburg ja.

MR VALLY: I think it was Mr van Rensburg. I beg your pardon.

GEN NEETHLING: Allegations that van Rensburg makes against me for carrying out poisons in bulging suit cases. I don't even laugh.

MR VALLY: I have no further questions Mr Chair.

MR POLSEN: Mr Chairman I am sorry I have to put the record straight. I don't think Doctor van Rensburg ever said that Doctor Neethling carried out poison in bulging suit cases.

CHAIRPERSON: Ja.

GEN NEETHLING: The press may have said that but the witness didn't say that.

GEN NEETHLING: Yes. Well Sir you know this disturbed my wife. She cried like a baby.

CHAIRPERSON: No General he was addressing the Chair.

GEN NEETHLING: I am sorry Sir, sorry.

CHAIRPERSON: Yes thank you. Cross-examination Mr Polsen?

MR POLSEN: I have no questions Mr Chair.

CHAIRPERSON: Mr du Plessis?

MR DU PLESSIS: I have no questions.

CHAIRPERSON: Mr Currin?

MR CURRIN: I have no questions Mr Chairman.

CHAIRPERSON: Mr Norman Arendse?

MR ARENDSE: No questions Chairperson.

CHAIRPERSON: Mr van Zyl?

MR VAN ZYL: We have no re-examination of the witness.

MS LEVINE: Mr Chairman, can I be heard? My name is Melissa Levine. I am an attorney with the Aravan and Dicks in Cape Town. I have received instructions from a colleague and a correspondent attorney in Johannesburg today, David Disan of the firm David Disan, Ameer and Ndlovo to put certain parts of the record in the case that has already been referred to in this hearing - the case of LOTHAR NEETHLING v MAX DU PREEZ a case which I understand was heard before the local division in the Transvaal. Either the Witwatersrand local division or the Transvaal provincial division I am not certain.

I have also been supplied by Mr Disan with certain parts of the record which on behalf of Mr Disan's client, Die Vrye Weekblad the erstwhile newspaper edited by Mr Max du Preez I would like to put certain of the parts of the record to General Neethling on behalf of Mr Disan's client, Die Vrye Weekblad. And I ask the Chairman for an opportunity very briefly to do so?

CHAIRPERSON: Mr.

MR CILLIERS: As it pleases you Mr Chairman. If it is my learned colleague's statement that she appears on behalf of the Vrye Weekblad it has not existed in the last few years. She pretends to be appearing for a client that does not exist. I am worried if this matter is becoming now seems to me a personal battle or dispute which wants to be reopened. It has nothing to do with CBW. And it is my respectful submission that there is no relevance of this matter towards this one. That matter was about allegations of poison being presented to a certain policeman. But this has no bearing on this matter.

In the first place my learned colleague has no **locus standi** to appear in front of you for a client that does not exist. And secondly there is no relevance to what we are discussing here.

MS LEVINE: If I may respond very briefly to what my learned colleague has said. It is absolutely correct and it is my instructions that the Vrye Weekblad does not exist any longer but in fact I would then be representing Mr du Preez who was the erstwhile editor of the Vrye Weekblad. And my understanding and instructions are that the Vrye Weekblad was in fact forced to close down as a result of a substantial award of costs made against it by the Appellate Division as a result of this matter which was subsequently taken before the Appellate Division where the Vrye Weekblad for various reasons could not discharge an onus of proof in the defamation case upon it and was therefore ordered to pay certain costs. As a result of which it was forced to close down. So the erstwhile company Wending Publikasie which was the owner of the Vrye Weekblad does not operate any longer. Whether it has been deregistered I do not know. And I am not instructed on that as yet.

Further with regard to the allegation of my colleague or the submission made by my colleague that this is a personal vendetta of Mr du Preez my understanding from my conversation with Mr Disan this morning was simply that when the matter of LOTHAR NEETHLING v DIE VRYE WEEKBLAD MAX DU PREEZ AND OTHERS was taken on appeal because of the fact that Mr **Justice Kriegler** in the lower court, the court lower than the appeal court held for Die Vrye Weekblad. Then General Neethling then saw fit to take it on appeal. The Appellate Division could not find either way between the parties because it was simply a question of it did not know who to believe. So there was no finding made on credibility. And Mr Disan's instructions to myself have simply been should new evidence come to light during this hearing which could have a bearing on General Neethling's credibility then that new evidence will be brought and the appeal case reopened.

So it is in the interests of truth and in the interests of justice it would be submitted that these parts of the record in the lower court be now put again to General Neethling and that it is in interests of truth and justice that they be put.

And I therefore respectfully submit that the parts of the record may be put and that it would be part of the job of this Commission or the duties of this Commission to hear such submissions. Thank you. I await your.....

CHAIRPERSON: Can I just find out from you are you saying those parts of the record are new evidence or is it your contention that out of questions you may put to the witness new evidence might come out that might necessitate the re-visitation of the judgment of the Appeal Court?

MS LEVINE: That would be the submission to the Truth Commission.

MS SOOKA: May I ask the attorney what the connection would be between that and this particular hearing which relates to chemical and biological warfare?

MS LEVINE: May I just explain that this particular case, as I understand it, and these are my instructions on which have I have been briefed this morning, this case arose out of an article which was carried in Die Vrye Weekblad in which certain allegations of General Neethling supplying poison to the police were made. And General Neethling then sued the Vrye Weekblad for defamation of character. And there were certain questions in the parts of the record that I have are questions, examination in chief by the legal representative a certain Advocate Osry at the Johannesburg Bar representing General Neethling, to General Neethling, asking him to clarify certain things allegations that were made about him regarding the poison, supplying poison to the police. And this was evidence that was put to him and we would like to put it to him again because they relate to the aspect of giving poison to the police.

CHAIRPERSON: Hanif or Mr Vally do you want to be heard on this point?

MR VALLY: Two points. Insofar as it is relevant regarding the chemical and biological warfare hearing and there are aspects of that case, the whole case revolves around the issue of whether Doctor Neethling did or did not provide poison and I think ultimately the Appellate Division ruled in Doctor Neethling's favour. So insofar as those issues relating to poisons are concerned it is relevant.

Insofar as the other motivation by my learned friend I would point out the provisions of Section 31(3) and my interpretation is that it does not have to be invoked after 31(2), that is just to compel people to answer. But Section 31(3) of our Act which states: -

"Any incriminating answer or information obtained or incriminating evidence directly or indirectly derived from a questioning in terms of subsection 1 shall not be admissible as evidence against the person concerned in criminal proceedings in a court of law."

And it goes on.

We have talked extensively about Section 31(3). So that is my view.

Insofar as further information on the poisons yes there is no problem. And insofar as any other motivation there would be a problem.

MR CILLIERS: I would like to add the motivation has been provided. That is what Mr Vally is referring to. They want to see whether new information can be obtained to open an appeal. My learned colleague does not have to explain to you how that is going to be done. But they have one or other way that I do not know of. But the motivation is not **bona fide** to assist you to make a decision which you are supposed to make. You know there is only one day General Knobel which still has to testify. Doctor Goosen must leave before seven 'o clock tonight because Mr Polsen is not available. With respect, there is no time for this kind of internal vendettas between Neethling and Du Preez. And we should not use this forum for this. I oppose this.

CHAIRPERSON: Mr Vally to the extent that you concede some merit in the sort of questions that would have been put were we inclined to allow this isn't it your view that they have been (...indistinct) I just had sight of this, if this is the portion of the record that is sought to be referred to David Disan of (...indistinct) Ameer, Ndlovo. Are these not the sort of questions that in the context of your raising the amnesty application you did cover and put is there anything new that you are going to be getting by putting these questions?

MR VALLY: I am in no way to answer that Mr Chair. I have not gone extensively through the whole court record. I just asked a specific question relating to the response of (...indistinct)

CHAIRPERSON: Exactly this is not even pretending to be the whole court record.

MR VALLY: I have no idea of more information in the record or the types of questions. I can't say that I have covered that aspect. I really have no idea.

CHAIRPERSON: I hate to have to do this. Can we take just 5 minutes?

COMMITTEE ADJOURNS

ON RESUMPTION:

CHAIRPERSON: An application has just been made by the legal representatives of Vrye Weekblad as it then was but not particularly for

particular reasons on behalf of Mr Max du Preez for a legal representative instructed by attorneys in Johannesburg, David Disan and others to put questions to the witness, General Lothar Neethling. It seems to me that the canal of the application is that questions that may have to be put or that might be put to the witness might be of a nature that might assist the client on behalf of whom this application is made, in matters relevant to the credibility of this witness. And in a manner or in a situation which further evidence may be unlocked the nature of which might assist the litigant in the case of Max du Preez or LOTHAR NEETHLING v VRYE WEEKBLAD to bring an appeal against the decision of the Appellate Division. The basis seems to be that the Appellate Division returned a verdict that was not premised on a finding of credibility but had taken a position that it could not be said on the basis of all the evidence that either party had erred.

If I am correct in my understanding what I understand to be the basis of the application it is hoped that in our endeavour to establish the truth and in the course of questions being put to the witness evidence might abound that would necessitate re-visitation to the case in which the present witness was a litigant with one Max du Preez.

Without going into the merits of this approach it seems to me that Section 31(3), to the extent that it refers to evidence that might be produced if we were to compel this witness to reply to any questions put to him would defeat the very ends which have been made the basis of the application, it seems to me none of the evidence which might be obtained from this process would be usable for the purpose indicated.

Now even if we were wrong in this view it appears there is nothing that can be put further to this witness that is likely to bring about a different position in terms of the replies that he is going to give and those which he has given already when certainly from the Chair and from the panel the case was put to him or references to the particular case was made. He has denied that he has ever done any of the things with in relation to which he was a litigant in the case mentioned. And I cannot see that he is going to take a different position.

In any event it seems to me the issues that were canvassed in that particular case in which he was a litigant have been canvassed by Mr Vally. And seems to us then, constrained as we are by time, it is an application which we unfortunately have to decline.

The application therefore to keep this witness further for purposes of being questioned by representative of Mr Max du Preez is refused.

Mr Vally I suppose members of the panel now have to ask questions. Are there any questions from the panel? Doctor Wendy Orr.

DR ORR: General Neethling on Monday when Doctor Jan Lourens came to give evidence he said that towards the end of his time at Protechnic he came to see you to speak about his anxiety about the screwdrivers and the umbrellas and certain other things that had been developed there and also about other developments around security. And you evidently told him and I quote what he said: -

"I want to have my toys back."

Sorry I am mistaken.

GEN NEETHLING: Yes you are. I am so glad you are mistaken let me tell you because I don't have these sort of toys.

DR ORR: I am sorry I believe that was General Liebenberg.

GEN NEETHLING: No problem he is dead, ja. That is why I am also glad it is not him.

CHAIRPERSON: Dr Randera.

DR RANDERA: Dr I just want to come back to what many people have said, including yourself, and this is this question of the coming into existence of the CBW Programme. The rationale that is put forward is about a perceived threat. And sometimes in fact people have gone beyond a perceived threat they have talked about the use of - and I hope I am not contravening anything here, the use of chemical weapons in Angola in particular. Now my question to you really is were you ever party to documentation that was put to you where this was shown? Did you ever see any people who were harmed by chemicals used in Angola or was this just part of the propaganda that existed at the time?

GEN NEETHLING: Sir I am very happy that you are asking this question. I couldn't get it into any answers of Mr Vally because I would have liked to. I have seen at least 60 people who were maimed by chemical warfare. I have had blood analysis done on Choline esterase inhibition which clearly showed that these people have been poisoned. And they told us, the UNITA soldiers, something happened, something fell out of the sky. There was smoke and then all of a sudden they could not walk. They were lame. Sir if you saw these people, and I saw them not only in Pretoria at 1 Military, but I saw them in a hospital that was created specifically for soldiers in Angola. I was there myself. And it is horrendous. And we had no protection.

And that is why I am saying this programme is not BC it is ABC. There was no protection for the special force of the police, for any one of those.

Atomic, biological or chemical. We have gone and we have produced the best material.

And I want to just tell you one thing. I have a letter here from Technotech. You know what company that is. Which says, it is a company that we have supplied during the Gulf War a very large(...intervention)

CHAIRPERSON: Excuse me. Any document that is sought to be introduced and does not form part of the documents has to be discovered first to legal representatives of the ministry. I am not saying that document cannot come in, except that until they have seen what it is you can say then you cannot refer to it.

GEN NEETHLING: Okay. What I am saying to you Sir is this, that our equipment that was produced, gas masks, defensive clothing was of such quality that one of the major forces in the Gulf War - and I am sure that I am saying this for the first time and if I proliferate, I will proliferate - was the best there was in the world. They refused to put on their own clothing. They only used our clothing and they took the lot that we had produced. So good was our stuff.

What I am saying to you Sir is we had this capability developed over a 10 year period. From when they started in 1981, 1982 planning this, the product the fruit of this whole project, of which I am proud to be part of, came about for the first time tested under battle conditions in Iraq. And we said thank God we did.

DR RANDERA: Just for the record when you say you are proud of the product you referring particularly to this? You are not referring to the whole CBW Programme?

GEN NEETHLING: No, no I know nothing about the rest. I told you what I know. I know about my involvement.

DR RANDERA: Thank you.

CHAIRPERSON: Mrs Sooka?

MS SOOKA: General you have told us today that you consider yourself quite an expert and quite often in your testimony you talked about the fact that you had been a number of times overseas. And I am quite intrigued by the fact that you supplied this Mandrax and LSD for the purposes of developing this riot control teargas. The question for me is, do you know of any successful teargas that has been produced from these substances? Either here in this country or anywhere else in the world?

GEN NEETHLING: I do, covert, yes. The Americans are producing beautiful things, beautiful.

MS SOOKA: From?

GEN NEETHLING: From derivatives of this class. And I must say this to you there is a lot of things that a lot of countries have got which they do not talk about because it is a national security threat to divulge things like this. It is a national security threat to divulge your system of defending your VIPs. When the President goes and he starts eating at a function ...(intervention)

MS SOOKA: Sorry just one last question.

GEN NEETHLING: Ja, I am sorry.

MS SOOKA: Was it successfully produced in this country?

GEN NEETHLING: I do not know.

MS SOOKA: Thank you.

GEN NEETHLING: Thank you.

CHAIRPERSON: General Neethling you are excused.

GEN NEETHLING: I would like to thank you very much, your whole board for being so tolerant with me and I am very happy that I had this opportunity to talk to your board and I hope that you will deliberate on all the facts that you will still be confronted with to get the truth of this product. Thank you very much.

CHAIRPERSON: You are welcome.

WITNESS IS EXCUSED.



Niel Knobel

Foto: Die Burger

BYLAAG C

Transkripsie van lt.-genl. Niel Knobel se getuienis op die
Waarheids-en-versoeningskommissie se sitting oor
chemiese en biologiese oorlogvoering in Kaapstad

MR VALLY: Our next witness is Dr Knobel.

CHAIRPERSON: Thank you. General welcome generally and I have been noticing your presence for quite some time, but let me formally welcome you. Mr du Plessis I take it you are on record as representing General Knobel?

MR DU PLESSIS: That is correct.

CHAIRPERSON: Adv Potgieter.

ADV POTGIETER: Thank you Chairperson. Morning General.

DANIEL PETER KNOBEL: (s.u.o.)

MR VALLY: General Knobel would you prefer to being referred to as General Knobel or Dr Knobel?

DR KNOBEL: Mr Vally I have no objection to any way you refer to me.

MR VALLY: Thank you. General Knobel can you briefly tell us ... (intervention)

DR KNOBEL: I beg your pardon Mr Vally I would like to request that I want to make a statement before I start answering questions, if the Committee will allow that.

MR VALLY: Certainly General Knobel we have no problems with that. There is one request that I want to put before the panel. The representatives of the Minister of Foreign Affairs have indicated to us that there may be issues raised by General Knobel, General Knobel I believe has got details of certain projects which possibly encompasses a number of projects. We don't know because we don't have sight of that document and the only request is that should General Knobel wish to quote from that particular report that he would indicate to the gentlemen, to the legal representative of Foreign Affairs which sections he's going to report from and they will advise the panel if there is no agreement with General Knobel, otherwise in consultation with General Knobel agree as to how you present those quotes so as to avoid the danger of proliferation. I don't know if General Knobel's legal representative has an approach in that regard and if he's agreeable to the suggestion.

MR DU PLESSIS: We have no problem with that.

CHAIRPERSON: Do I understand Mr Vally that we, including yourselves, the panel, are going to be listening to evidence which we cannot follow as it is being read into the record?

MR VALLY: Well there's two legs to this. One is I am not sure if General Knobel has a written statement. If he has then I would request a copy of it in terms of the procedures for the hearing which were sent to General Knobel with our Section 29 notice.

The second aspect is there is a big document referring to a certain project and that's a document which we don't have, the panel doesn't have, which may lead to proliferation, and that's the document I am referring to which is relevant for the purposes of my earlier explanation.

If General Knobel can make available his statement and we can make copies for the panel that would be appreciated.

DR KNOBEL: Mr Chairman that certainly is possible, we can do that.

CHAIRPERSON: Yes and given the nature of these hearings one wouldn't like to feel like walking into a mine field blindfolded. How long is it going to take? This hearing doesn't seem to want to start today. How long is it going to take to get copies made?

MR VALLY: As long as the ...(intervention)

CHAIRPERSON: Can we stand it down for five minutes.

ADV ARENDSE: Chairperson can we place our position on record?

CHAIRPERSON: Yes.

ADV ARENDSE: We understand from General Knobel and his legal representative that he intends to refer to a report called or styled Operation Cloud which is a report on Dr Wouter Basson and South Africa's CBW programme. This is a top secret report which we object to being dealt with or handed in for that matter in public.

We understand that specifically the General intends to refer to pages 32 to 100 of this report. Now these pages refer to TRC record 21 to 23 of the bundle which you have before you. Now these documents in terms of our agreement with Messrs Vally and Chaskalson are documents which the TRC has agreed not to use at this hearing or to distribute to the press.

Now just for the record initially the Department had objected to the hearing being held in public on essentially three grounds. These are that issues relating to proliferation or that evidence is likely to come out which deals with issues relating to proliferation; issues relating to our country's international relations and matters relating to protocol and especially the issue relating to the demarche.

Thirdly, our obligation under international agreements.

Now our view is that the report on Operation Cloud deals with all three of these issues, and specifically pages 23 to 100 deals with these issues.

Now we accordingly are compelled to object to this report being referred to in public. Obviously at this point, in view of the arrangement could assist us greatly if we could have sight of the General's statement, and as it were if we

can then see if there are matters which touch on these three issues, then it's quite possible that we can proceed as we have done up till now.

However, we cannot deny the General the right to refer to the report especially insofar as it concerns him personally or his credibility for that matter.

The alternative would then be that if it is necessary for the General to rely on the report that this be done in camera. From our side we don't think it is necessary for the General to refer to the report in any kind of detail especially relating to these three issues on which we based our initial objection. For example, if the General needs to rely on the fact that he had a meeting with former President de Klerk or with Mandela, which the report does deal with, then clearly we can't have a problem with that. It is the detail, and this detail, if you do have sight of the report, is typewritten in cursive, those details we do object to.

Thank you Chairperson.

MR DU PLESSIS: Mr Chairman on behalf of my client I want to place something on record. I want to respectfully submit that during this week you have listened to a lot of evidence but you did not get any idea what that project entailed, and now you have the opportunity where a person who headed this project for a long time can give evidence regarding the crux of the project itself, and I can't understand what the Department of Foreign Affairs' problem is to take that evidence away from you.

With the greatest of respect you have listened to a lot of evidence and much of that was just gossip. Now you have the person heading that project who can give you that evidence and I can't understand the basis on which the Department of Foreign Affairs takes that away from you. They support transparency, that's why they require Dr Basson to testify, but when Dr Knobel wants to testify they object to that.

This is a person who is, of all people, able to provide all the evidence you require, and you will be able to listen to all that. The press has conveyed an image of this project which is far-removed from the truth, and they also must hear, for once and for all, what this project was about.

So it's my submission that you should listen to all his evidence. It will not be irrelevant and it won't be proliferation. He is the vice chairman of the Proliferation Council and if there's one person who will take care that he does not proliferate it's this witness himself.

My learned colleague, with respect, can object. Mr Kennedy is with him to lead him in this regard, but to limit this witness' evidence so that he can't render parts of his evidence you will never get the true picture of what happened.

On behalf of my client I want to put the record straight, he's a member of the Proliferation Council. We are referring to two documents.

Firstly, a submission has been made by my client to the TRC in January 1997. The contents of that document must form part of the record and he wants to read that into the record so that that evidence can also be made public.

The second aspect which is relevant here against which my learned friend objected to be handled in public, that is a report of a National Intelligence Agency, it's titled Project Cloud, and it's from that document my client is going to refer from page 32 to 100. It's important for my client and in the interest of justice that he can quote from that document and we have no objection that that specific part will take place **in camera**.

CHAIRPERSON: Mr Arendse.

ADV ARENDSE: Just to reply, especially to my colleague Cilliers. I didn't understand him to represent the General, and then secondly the very things he is saying seems to me to be a good enough reason why Dr Basson should be giving this Committee the information which you seek.

Our understanding is that the fact that there was this programme it seems to be a fact that it did exist, it seems to us that what this Commission wants to establish is whether that programme was used for offensive or defensive purposes and more particularly whether the end result of that programme resulted in human rights, gross human rights violations, and that is why the Department, and the office of the Deputy President supports this process. It is important for all of us to know what the effects or outcome of this programme was. In that regard there is no objection, and that we feel should come out in the open and I was on record late yesterday saying that we have been quite satisfied up to now about the way the process has been handled.

So our objection, however, is in regard to the detail of this programme, which we don't think is necessary for this hearing to know and especially as it affects these three legs of our initial argument. We don't think it is necessary and that is why I respectfully submit agreement was reached with Messrs Vally and Chaskalson in regard to the use of these documents.

The other thing is General Knobel is not here in his capacity as a member of the Committee on non-proliferation. He is here in his personal capacity and

his capacity as Surgeon-General and insofar as allegations have been made against him up to now by various witnesses he's got to deal with that, and we don't think for him to deal with that it is necessary to refer to the report in any kind of detail.

Alternatively we have suggested a compromise, which is not a happy one, and that is that if we do deal with the report that we do so **in camera**.

CHAIRPERSON: Mr Vally.

MR VALLY: From our brief look at the statement of General Knobel we believe that there would not be matters of serious concern regarding the issue of proliferation. However, should the need arise we can consider an application for the matter to be heard **in camera**. There is a formal requirement as to how we should proceed with that, but I would suggest that on specific issues that we confer with both Advocate Arendse and Mr du Plessis so as to avoid unnecessary wasting of time rather than automatically going **into camera**.

CHAIRPERSON: Mr Arendse shouldn't we then - I see there were three categories that were mentioned but I think in particular there were two that were important, that was documents which will not be used because it is the Commission's view that using them may lead to proliferation and those were documents no.9, 21 to 25 and 60.

Then there was a second set of documents which I thought might be referred to in relation to which a ruling would be asked in terms of Section 33(2) that those should not be released to the public for publication, and I understood those documents to be documents no.4, 19 - 20, 24, 59, 65, 66, 71, 72, 74, 75 and 81. That was placed on record. There was a ruling in relation thereto and we stand guided by that ruling.

Should we then not play it by ear. You are here. You know what documents are going to be a cause of concern and I am sure Mr Vally will also make sure that he wants to keep within the confines of the agreement. I do not, I am sure no member of this panel wants to sensationalise this hearing to any degree than it appears to have been, and where there are agreements that are in place, and where the interests of the country to the extent that we have all recognised then to be at stake, I think all of us would like to be within the limits that we have placed upon ourselves. And if we have to go the steps that are indicated by Mr du Plessis we would. But for the moment I think we want to play it by hear even if there are others who might suggest that we are sailing close to the wind - which I believe we are not.

Mr Vally - Mr Arendse does that leave you with any, what is it - **cold comfort?**

ADV ARENDSE: No I think we can proceed on that basis. I was just going to - but my colleague assures me that the statement itself doesn't deal with or refer to the report.

CHAIRPERSON: Yes.

DR ORR: I was just going to suggest or ask you to give us a few minutes to look through the opening statement and take it from there. But otherwise if we can proceed on the basis that you propose, my instructions are that we don't have a problem.

CHAIRPERSON: I see. Now how many minutes is a few minutes?

MR VALLY: Mr Chair just for the record I want to state that at the time we were talking to various arms of government, various officials, the agreement was that our expert, Professor Peter Folb, together with our other expert Commissioner Dr Wendy Orr, met with General Knobel and the documents that were excluded were by express agreement with General Knobel in terms of the various needs, and so General Knobel will be aware of which documents we will not be relying on which have to be excluded. Thank you Mr Chair.

CHAIRPERSON: General Knobel can we - or by the way how many minutes do you say you need?

ADV ARENDSE: Five apparently.

CHAIRPERSON: I see.

ADV ARENDSE: Maybe the fax will be coming through ...(intervention)

CHAIRPERSON: That's what I am thinking. We may never get to hear tonight... General do you want to say something?

DR KNOBEL: Yes if I may Mr Chairman. With regards to what Mr Vally has just said, it is quite true that we went through the process of deciding which documents should be excluded. There are, however, one or two documents that have not been excluded and that I indicated at that session last week if I were going to have to answer questions on those documents, or explain the circumstances around those documents I could only do so if I could place it into perspective with regards to other documents which have now been excluded. And I think that is important for the Committee to know that. Thank you Sir.

MR VALLY: I confirm that General Knobel did in fact bring this to our attention at one of those meetings.

Mr Chair are we standing down for a few minutes?

CHAIRPERSON: Yes let's just stand down for five minutes. We resume at ten to ten. It's just about tea time.

HEARING ADJOURNS

ON RESUMPTION

CHAIRPERSON: Can we use the next 30 minutes profitably Mr Vally?

MR VALLY: Thank you Mr Chair.

DANIEL PETER KNOBEL: (s.u.o.)

MR VALLY: I believe General Knobel wants to read his statement into the record.

CHAIRPERSON: Mr Arendse I assume that you have looked at the statement and you are not ...(inaudible)

ADV ARENDSE: That's correct Chairperson, it's in order.

CHAIRPERSON: General Knobel.

DR KNOBEL: Thank you Mr Chairman.

"Since the beginning of the TRC investigation into the past activities of the South African Medical Service of the South African Defence Force in general, and Project Coast of the SADF, SANDF in particular, I have tried in every possible way to cooperate fully with all the investigators and commissioners. The result of my co-operation is embodied in briefings, answers to questions, interviews and documents that have been made available to the TRC.

During the same period I have also been utilised as a State witness for the Office of Serious Economic Offences in their separate but parallel investigation of Project Coast and the role of Dr Basson in it with respect to possible financial abuses of funds allocated to the project.

I have also been consulted on a number of occasions by the Office of the Attorney-General with regard to its investigations of certain allegations and charges levelled at Dr Basson.

Again the above investigations have led to correspondence, evidence and affidavits by myself and others related to the CBW programme.

In the third place I have also been very closely associated with the National Intelligence Agency since September '94 in trying to unravel many of the outstanding issues with regard to Dr Basson and the Chemical and Biological Warfare programme, and contributed much to the document known as Project Cloud which was made available to the TRC during October last year.

Finally I have also been acting as an advisor to the Department of Foreign Affairs with regard to the applicable conventions since 1989, as well as to the non-proliferation Council within the Department of Trade and Industry since

1993, with regard to all aspects emanating from the Republic of South Africa's position as a State part to the Chemical Weapons Convention and the Biological Weapons Convention.

Since 1997 I am an appointed member of the non-proliferation Council with the responsibility to Chair meetings of two advisory committees of the non-proliferation Council, namely the Chemical Weapons Working Committee, and the Biological Weapons Working Committee, which deals with all aspects of the implementation of the two conventions.

In addition to all the above functions I have had to brief and advise, from time to time, all the relevant Ministers as well as President de Klerk and President Mandela, personally, on certain issues, and have also been instructed to brief the Parliamentary Committees on Public Accounts, Defence and Health affairs with respect to the CBW programme.

In the evidence I shall give today I shall be referring to many of the above activities and to documents that have a bearing on the programme, and where such reference to activities and documents will pose a threat to the Republic of South Africa's international relations and/or obligations in terms of non-proliferation of weapons of mass destruction I will point this out to the best of my ability, but with the understanding that I cannot be held responsible for any information that does lead to proliferation or a threat to the Republic of South Africa's international relations if it becomes available to the media through my testimony.

I would now like also to request that my briefing to the TRC on the 21st of January 1997 be read into the record.

I further request that I may freely make use of and refer to the Project Cloud report of the National Intelligence Agency. And with respect to other documents I would like to underline the following.

Firstly Project Coast documents. All documents at co-ordinating management control level and those generated in the South African National Defence Force or Defence headquarters or South African Medical Service headquarters level that I am familiar with I will deal with as completely as possible putting them into perspective with political and CMC decisions that had been taken at the time.

In this regard I will put supplementary documentation made available to the TRC last Friday on the table, and will refer throughout to briefings given to the CMC, to the Ministers, to the State Presidents and to the TRC as well as to the contents of the Project Cloud report of the National Intelligence Agency.

With regard to other documents that I call the Internal Research and Development documents, these documents in question are, as far as I can determine, internal research and development documents of Delta-G and Roodeplaat Research Laboratories. None of these documents were ever made visible at the level of the Co-ordinating Management Committee or those working groups of which I was a member. I therefore did not see them before 1997.

In assessing the contents of such a document the following must be borne in mind:-

Authority from the Co-ordinating Management Committee for any research or development in the project was given with regards to the broad fields and areas of research. This authority was based on guidelines and approvals that were given at political level. The authorisation was then converted into measurable broad objectives with budgetary allocations of funds which again had to be approved by the Minister for each financial year. The detail of all scientific work within the approved objectives was then planned and co-ordinated by the Technical Work Group under the Chairmanship of Dr Basson personally.

It must be further borne in mind whereas initial research and development within the front companies was confined to the achievement of project goals research and development conducted in the period after my appointment as Surgeon-General included projects which were not necessarily CBW related, but rather commercial ventures which could generate income for the company and in particular prepare the company for the process of privatisation and commercialisation.

Furthermore scientists were also allowed to carry out scientific research in areas in which they had a special interest and which would enable them to remain visible in the scientific world both nationally and internationally.

In the assessment of these documents I shall try to distinguish between these different categories of documents and indicate to the best of my ability where, in my opinion, the subject matter falls.

Where necessary I will refer to the initial assessment made by Colonel Ben Steyn and myself of all the documents found in the trunks at the request of National Intelligence Agency as contained in the Project Cloud report of October '97, as well as to my assessment of the same documents at the request of the court in its proceedings following the Times Media application to have access to all documents in July '97.

Thank you Mr Chairman.

CHAIRPERSON: Mr Vally.

MR VALLY: Thank you Mr Chair. Do you wish to add anything else before I start questioning you General Knobel?

DR KNOBEL: Well I have made two requests Mr Chairman. The first was to read in the TRC briefing of '97, to have that placed on record and to read it into the record.

MR VALLY: Do we have a copy of that?

DR KNOBEL: Yes ...(intervention)

MR VALLY: I assume it's a briefing to us so we should have a copy of that.

DR KNOBEL: Yes of course Mr Chairman.

MR VALLY: Well let me just check with my colleague. And what is the second request while we are at it?

DR KNOBEL: Then the request was that I refer freely to the Project Cloud document. And I have said already it would probably be confined to pages 32 to 100.

MR VALLY: We would need to show that briefing to Mr Arendse as well, but let me get a copy of that briefing first.

CHAIRPERSON: I think Mr Vally you are the **dominus litis**. You have a programme, you have a way - I have noted the requested, it doesn't have to be now. I think you go ahead and conduct this hearing in the manner in which you had intended to do. For instance I am not going to allow any of this matter to stand down on the basis only that we shall have to go and get a copy of this. I have noted the request for that to be read into the record. I can't make a ruling now. I haven't seen the report. I don't recall it, but there is work that can be done and I think we must go ahead with it.

Mr Vally are you listening? Go ahead and lead evidence.

MR VALLY: Thank you Mr Chair. General Knobel I need to determine from you for which period were you Surgeon General?

DR KNOBEL: Mr Vally or Mr Chairman may I just ask the following question. This is exactly the reason that I want that document read into the record because I give a full explanation in that document about my position and how I became involved in this project. I would certainly, in answering some of the questions, would be referring to the contents of that document. I want to know from you whether that is now in order or whether it should be read into the record first. I will be quite happy to answer any question Mr Chairman.

CHAIRPERSON: Dr Knobel we have a problem about process, and what really distresses me is that with the subpoenas there was a page at least which outlines the procedures to be followed here. Where documents are sought to be referred

to those documents should have made available ahead of time. You have been here, your lawyer has been here for a week. You knew that you wanted to refer to certain documents. Those documents should have been ready for redistribution before we take the evidence. Now we are placed in a position where you want to read into the record something we haven't had sight of.

DR KNOBEL: Mr Chairman, with respect, the TRC also wanted to make this document available to the press and they wrote to the Minister of Defence to ask his ...(intervention)

CHAIRPERSON: That is not my point. You are now wanting to put it in as evidence and I am saying if that is what you had wanted to do you should have made sure that those documents are available for us. I am not in a position to rule that something must be read into the record in the nature of these sort of proceedings when neither the ministry's officials nor I, nor any of the members of the panel have had sight of the document. I am not saying there is anything wrong with the document, but I know that if you are answering questions that have been put we hear the questions and we can see if they are going to be comprising any of the documents in relation to which there is an agreement.

I can understand your point in saying, unfortunately I am now having to give a verbal reply to things that I have in my report. That's unfortunately what has to happen in the circumstances.

DR KNOBEL: Mr Chairman, with respect, this document was in the possession of the TRC since January 1997.

CHAIRPERSON: It is not before us General Knobel.

DR KNOBEL: I understand that Mr Chairman, but in the discussions with the TRC in preparation for this hearing I made it clear to them that I was going to use this document.

CHAIRPERSON: You don't understand what I am trying to say to you, or you refuse to understand.

You may have said a hundred and one things but the fact of the matter is that now at quarter past ten on Friday morning to want to read into the record something that is not before me, and I am saying there is a process in terms of which Mr Vally can begin to use the 15 minutes that are available before tea time profitably, and he is beginning to do so. I now rule that you should answer the questions put to you.

DR KNOBEL: I will do my best to do it as fully as possible Mr Chairman.

CHAIRPERSON: Mr Vally.

MR VALLY: Thank you Mr Chair.

General Knobel my question was for which period were you Surgeon-General?

DR KNOBEL: I was appointed as Surgeon-General of the South African Defence Force on the 1st of March 1988, and I remained in that position until the 30th of November 1997.

MR VALLY: Prior to you being appointed to Surgeon-General can you tell us what your position was in the Defence Force and for how long?

DR KNOBEL: I was originally appointed in the Defence Force within the citizen force in 1971. I served in the citizen force until the end of 1980. During that period I served in various capacities but in the final years as a consultant to the Surgeon-General, at that time Lt Gen Nieuwoudt, in the same way as Dr Daan Goosen described yesterday.

I then joined ...(intervention)

MR VALLY: Just on that issue, I am so sorry, which period were you consultant to General Nieuwoudt?

DR KNOBEL: I must just add to what I have just said, also to General Cockcroft who was the predecessor of General Nieuwoudt. In the period from the middle of the 1970's approximately Mr Vally.

MR VALLY: So from the 1970's to March 1988 you were consultant to the Surgeon-General ...(intervention)

DR KNOBEL: No that is not what I said Mr Vally ...(intervention)

MR VALLY: I am sorry.

DR KNOBEL: I said as a citizen force officer I was a consultant to those two Surgeon-Generals until the end of 1980.

MR VALLY: Okay.

DR KNOBEL: In 1981 I joined the permanent force and I was then instructed to do the necessary training for two years to achieve the necessary military qualifications. So in 1981 I did the staff course of the South African Army. In 1982 I did the joint staff course of the Defence College.

From the beginning of 1983 I was appointed as Chief of Medical Staff Operations, which meant that I had to deploy all capabilities within the South African Medical Service in support of the Defence Force, other security forces and the Department of Health and other State departments on behalf of the Surgeon-General.

At that time I was informed about this project and became involved in planning around the project. However, I had no direct responsibility for what

was taking place within the project. That was the responsibility of the project manager, General Nieuwoudt.

When I was appointed as Deputy Chief of Staff, Operations, of the Defence headquarters on the 1st of January 1987 I was transferred away from the South African Medical Service to the Defence headquarters. I worked in a totally different capacity which I can discuss if you want to hear about it. But the point I am trying to make is during that time, 1987, I was not really directly involved in the project although I was from time-to-time asked to attend various meetings.

At the end of 1987 I was transferred back to the South African Medical Service from the beginning of 1988, 1st of January 1988, and I was appointed Surgeon-General on the 1st of March 1988.

From that time onwards I had to take over the position of project manager from General Nieuwoudt.

MR VALLY: Thank you. Now regarding the position of Surgeon- General of the South African Defence Force, what were the professional and if I could even say, personal, requirements for being appointed to that position?

DR KNOBEL: I think it is traditionally accepted in all defence forces all over the world that the position of the Surgeon-General should be that of a medical doctor. It should certainly be a person who has the necessary military background to understand military command and control; the military disciplinary procedures and the requirements of the combat forces.

I want to say something else. What is extremely important is that such a person should be able to maintain the balance between what is known as military discipline and military command and control as against professional control over all the professions that resort under that of the office of the Surgeon-General.

In fact that was the reason that I accepted the appointment into the permanent force, because in 1978 the South African Medical Service became an independent arm of service of the South African Defence Force. Before that it was a core medical service of respectively the Army, the Air Force and the Navy. This had great implications. It meant that the medical personnel were actually under command of combat service personnel, a situation which both General Nieuwoudt and myself as his consultant, was not acceptable. We therefore motivated that the Medical Service should be made a separate arm of service with its own command and control; its own uniform; its own identity; its own code of conduct and its own budget so that, that delicate situation of

command by Army or Air Force or Navy officers over medical personnel could be dealt with in such a way that the Surgeon-General had direct command over professionals under his control. And that if any of such professionals were deployed in support of either the Army or the Air Force and the Navy the Surgeon-General would determine what command affiliation would then exist. And the command affiliations that we had to work out together which was difficult to understand, with all frankness by my colleagues in the Army and the Air Force and the Navy, had to be established. That is the reason I joined the permanent force to help the Surgeon-General with establishing this new arm of service, so that we could protect and guide our professions.

And just to emphasise the point, the Medical Service of the South African National Defence Force at that time had no less than 9000 full-time members of which 60% were in uniform and which included 27 statutory professions, meaning professions registered with a statutory body. Statutory professions that had definite guidelines as to the scope of practice and what those professions could or could not do. At the same time they had to operate within a military environment with military command and control and with military discipline being applied to them. They had to go through a rank structure and had to be seen within the hierarchy of the Defence Force according to the rank on their shoulder and not necessarily the intellectual or the professional capabilities that they had.

That was the purpose of the Surgeon-General to look after that very important delicate issue.

MR VALLY: Just briefly when was SAMS established, the South African Medical Services?

DR KNOBEL: To the best of my recollection the final decision was taken in 1978, I think the 13th of - I beg your pardon Mr Chairman it may have been 1979, but it was during '78, '79 in July of one of those two years.

MR VALLY: So within the ...(intervention)

DR KNOBEL: If I may Chairman, in the document that we are referring to the date is the 31st of October 1979, backdated to the 1st of July by Minister P W Botha.

MR VALLY: So professionals within the South African Medical Services would be bound, for example, by principles of the Hippocratic Oath or I believe it's the Geneva Protocol, Declaration, I beg your pardon?

DR KNOBEL: Absolutely. The Hippocratic Oath as you say under peace time conditions, and certainly the Geneva Convention requirements in a declared war situation.

MR VALLY: Yes no I am talking about the Geneva Protocol ...(intervention)

DR KNOBEL: Geneva Protocol is quite right, I beg your pardon Mr Vally.

MR VALLY: Alright. If necessary we will go to those two documents.

So such ethical principles which govern the conduct of the activities of these statutory professions, as you refer to them and we will try and stick to the professions involved in the hearing, would they be required, I am talking about doctors, I am talking about scientists, I am talking about veterinarians, would they be required to conduct themselves professionally in the same manner in uniform as they would if they were civilians?

DR KNOBEL: Absolutely. In fact any digression from this type of practice would be dealt with in two ways. It would be dealt with within the military environment by a military inquiry or investigation, and if necessary even a court martial. But at the same time the conduct under question would be referred to the professional body to which that professional or with which that professional is registered.

MR VALLY: Let's go on to the Chemical and Biological Warfare programme. When did you first have knowledge of the programme? You mentioned that when you were a consultant to the previous Surgeon-General that you were involved in the project in terms of the broad framework of the project. Can you tell us what was your knowledge of the Chemical and Biological Warfare programme before you became Surgeon-General and thereafter after you became Surgeon-General?

DR KNOBEL: Certainly Mr Vally. Mr Chairman in the period of the middle of the seventies towards the approval of the fourth arm, the Medical Service, it was discussed with me by the Surgeon-General at the time that one of the things that we would have to pay a lot of attention to was to develop this newly established fourth arm to be able to provide a comprehensive medical or health support to all aspects that were found within a defence force. This addressed the whole question of training in great detail; the question of medical logistics in great detail; the question of base-orientated medical service throughout the country which could be utilised by all security services and by all other State departments for that matter and it also had to address operational support to combat services within the country and outside the country.

MR VALLY: No maybe I should rephrase the question or repeat the question. I am referring specifically to the Chemical ...(intervention)

DR KNOBEL: I am coming to that Mr Vally ...(intervention)

MR VALLY: ...Biological Warfare programme.

DR KNOBEL: I am coming to that. One of the issues that was recognised in '78, '79 was the fact that within the Defence Force we also had special forces, we also had parachute forces and we also had a commitment which was based on an agreement that existed between the Defence Force and the Police Service, that any member, and it's written into the Defence Act, by the way, that any member of the Defence Force could be deployed in support of the Police Services, or for that matter in support of any department in the country with the approval of the departmental heads.

Now for Special Forces and Parabat Forces and the Police Services it was very clear that there would be a need of a specially trained medical component which would have the same capabilities, in other words would be able to also be dropped by air, or to take part in small team operations or deployments and which would be able to give the professional medical support that was required.

So at that time I realised that we were going to have to look at a special force element which at that time was really just a vision, but that that would have to be developed at a later stage. General Nieuwoudt was particularly keen that the Medical Service should learn the skills of abseiling; of parachuting; of being dropped into the ocean and being deployed with divers and being deployed with all elements of Special Forces. I say it was only a vision.

One of the things that then emerged that there would also have to be a very specialised knowledge about aviation medicine; about diving medicine; about chemical, biological and radiation defence, because at that time there was also a nuclear capability that had to be dealt with. General Neethling spoke about the ABC yesterday, it was really NBC, nuclear, biological and chemical.

So '78, '79 there was a clear indication that if this was going to be a fourth arm with a comprehensive support system it would have to have that kind of capability. That's the first part of your question.

The second part is, in 1983, when I was appointed as Chief of Medical Staff Force application and began to accept the responsibility of the deployment of all the new elements within the Medical Service one of my responsibilities was to allocate elements of the Medical Service to those forces that I have mentioned.

At the same time I was invited by General Nieuwoudt to attend a briefing that he and Dr Basson was going to give to the Minister of Defence here in Cape Town during the Parliamentary session on the Defence budget. The exact date I can't remember. I think it was in May 1983. At that briefing and on the way to the briefing I was informed by General Nieuwoudt that this project was in existence. I was given a broad background of how it had originated; of the authority given by the Minister of Defence that this project could be run, and that we were now going to brief the Minister on the state of where this project stood.

I was then informed of the mandate of the project and I was informed of the planning with regard to the establishment of covert companies.

MR VALLY: So whilst you were aware of a broad, initially of a broad need for a defence capability regarding what you call NBC, nuclear, biological and chemical weapons you got told of front companies and when you say the **project** are you referring to a specific project?

DR KNOBEL: Yes this was Project Cloud.

MR VALLY: Project Cloud ...(intervention)

DR KNOBEL: I beg your pardon, Project Coast, I beg your pardon Mr Chairman.

MR VALLY: Project Coast.

DR KNOBEL: Yes.

MR VALLY: On the way to a briefing in 1983?

DR KNOBEL: That's correct.

MR VALLY: Prior to that you didn't know anything about Project Coast?

DR KNOBEL: Nothing.

MR VALLY: Now I asked you earlier about the professional statutory obligations of certain of the professions who were within the Defence Force, as Surgeon-General and as a member of the Defence Force for some time were members of the Defence Force subjected to the normal laws governing, for example, medicines and related substances? I am referring to Act 101 of the Medicines and Related Substances Act. I am referring to the Abuse of Habit-forming Substances Act. Were members of the Defence Force governed by those Acts as well?

DR KNOBEL: I know of nobody who is not governed by those Acts Mr Vally.

MR VALLY: Whether or not a superior officer gave you instructions or not, if you were in contravention of those Acts it would be a crime. And if you, as

Surgeon-General, were aware of it you would internally discipline the person, secondly reported them to their professional bodies?

DR KNOBEL: That's correct. May I say something else about that?

MR VALLY: Sure.

DR KNOBEL: I was informed by the Surgeon-General that he had clarified this with the Ministry of Defence, that he had discussions with the Ministry of Law and Order and that he in fact had discussions with members of the Medical Council about this. I was satisfied that we were acting within the agreements that had been reached.

You had a long discussion yesterday with General Neethling about that very point, you heard what he had indicated in that regard.

MR VALLY: Right. We will come back to that because as you perceive it's a problem for us.

CHAIRPERSON: Mr Vally shouldn't - I believe you are getting to a new point. I would suggest that this should be a convenient stage to take the tea adjournment. It's a disjointed day but it's been forced upon us. We will take time to consider also the Botha case which we have now received. We will reconvene at eleven.

HEARING ADJOURNS

ON RESUMPTION

CHAIRPERSON: Thank you Ladies and Gentlemen we have now resumed. We are now ready to hand down a ruling in the application that was brought on behalf of Dr Basson and Dr Mijburgh and the present witness then formally stands down for the duration of that ruling. The ruling will be made by Advocate Potgieter.

R U L I N G

An application has been made on behalf of Dr Wouter Basson and Dr Mijburgh essentially to stay the taking of their evidence pending an application to a higher court either for a review or for a decision or ruling that they must be called to the stand or for declaring or challenging the constitutionality of the provisions of the Act in terms of which they are being called. Argument has been addressed to us very briefly and we invited both counsel to indicate to us whether there would be any prospects of a success of an application such as is envisaged.

We have come to the unanimous view that there are no reasonable prospects of success in any application of the nature envisaged and therefore our ruling is that the two doctors should be available during the course of today

for them to testify and that they should remain in attendance throughout the course of the day.

It is our view, however, that having begun with the evidence of General Knobel we should proceed taking that evidence until such time as you are able to get to the evidence of Dr Basson and or Dr Mijburgh. But that our ruling is that they must be available to testify as and when we come to them.

MR CILLIERS: Mr Chairman just regarding a procedural arrangement. Have you made any decision till what time you want to continue today. We have serious problems with flight arrangements. At this stage there is an indication that we would only be available until four 'o clock this afternoon, that is me and my colleague. Do you intend to like the previous four evenings to continue till late, seven 'o clock or eight 'o clock or what is your attitude at this stage?

CHAIRPERSON: I really don't know. The normal sitting times are at least up till five 'o clock. I take into account it is a Friday. It has been a long week. But I also wanted to sit until five 'o clock on Wednesday and we did not sit until five 'o clock. I obviously would be in the hands of all participants in these proceedings. I don't think it is this panel's wish to impose a heavy regime on any person but I. Let me put it this way. It is our desire that we should break off earlier than the previous days. I have a sense that I might even be abandoned by my panel if I insist to sit later than half past four. So (...intervention)

MR CILLIERS: They might receive help from this side.

CHAIRPERSON: So you may be having some supporters as far as that goes. But this might be a matter that we might want to look at during lunch. I don't want to appear to be unpatriotic but there is a football match that Joburg people want to attend in the luxuries of their homes and that might be a further inducement for us to sit early. We certainly do not intend to sit late.

MR CILLIERS: As it pleases you.

CHAIRPERSON: Mr Vally? You may not have wanted to call Dr Knobel but the directive from the Chair is that, that is how we want to listen to the evidence. Are you (...indistinct)

MR VALLY: I accept that Mr Chair and I will continue with Dr Knobel in a short while, save as to state that at some point there will be an application in view of the loss of a large portion of the hearing time allocated for this matter by virtue of the application brought by my learned friend and also the application brought by the counsel for the President and the Deputy President that at some point a ruling is made to extend this hearing to a mutually suitable date in the event of us not being able to finish today.

CHAIRPERSON: That should come as a matter of course as far as I am concerned until the (...indistinct) can be expected but I

note what your concerns are. Can we take evidence then?

MR VALLY: I have nothing further to add. I can carry on with Dr Knobel if you want to?

CHAIRPERSON: Yes.

CHAIRPERSON: Doctor Knobel, may I remind you that you are still under oath.

DR KNOBEL: Yes, Sir, thank you.

CHAIRPERSON: I see that there are documents that have been placed before us, one of which seems to be the briefing to the TRC on the South African Medical Services and the Defensive Chemical and Biological Warfare Programme. Has that document been brought to your attention Mr Arendse and have your principals seen it and what is their attitude thereto?

MR ARENDSE: Chairperson, this document relates to a briefing which General Knobel had with the Commission, the Commission was represented by Miss Sooka. Miss Sooka signed a certificate in the form of an undertaking *inter alia* an undertaking that the Commission will not allow any part of the submission or the information to be published in any way without prior consultations with the President of the Republic of South Africa, and further acknowledging that the information made available will have a direct effect on State Security as well as international relations of the Republic.

Now, I understand that a number of requests had been made to the President's office and that Mr Chaskalson had also spoken recently to the President's Legal Advisor on this and no definite response has been forthcoming from that quarter. I have now tried to contact Fink Haysom. He said he would be back here just before lunch time. Because there are really two things, the one is the undertaking that it wouldn't be released without prior consultation which I can't speak to at this point.

CHAIRPERSON: Hasn't a lot of water gone under the bridge since that date, since the 21st of January 1997 in the sense of, do you have any instruction as to whether for instance the consultation with the President has not taken place or has taken place?

MR ARENDSE: No, I don't have anything.

CHAIRPERSON: Before, before

MR ARENDSE: I don't have any instructions. I think if the President's office agrees that the document may be referred to at least, then my instructions are that it can be dealt with on the same basis as you proposed regarding the other

reports on proliferation and other issues, so that is not a problem but firstly I need to first get some instructions on the consultation part.

MR DU PLESSIS: Mr Chairman, I would like to add something. That submission was given by my client in January 1997 and my client at that stage insisted on it that the undertaking had to be done and signed by Miss Sooka. My client is the author of that document and he wants to use it. He doesn't need the approval of the President to make the contents known.

CHAIRPERSON: Mr Vally?

MR VALLY: Mr Chairperson, the undertaking is made not to consult with General Knobel but to consult the President. Whoever drafted it is irrelevant, the undertaking is very specific. That is the first thing. However having said that, we have in fact consulted. We have consulted in the first place on the 23rd of April 1998 and - I don't know if Mr Arendse has got instruction from the office of the President or only from the Ministry of Foreign Affairs, but I understand that there are further consultations taking place now. My understanding of prior consultation is it has to happen, it's not that we need consent.

CHAIRPERSON: Yes.

MR VALLY: So I confirm that consultation has taken place and one of the first consultations took place on the 23rd of April and there have been ongoing consultations even regarding this specific document. But I am willing to hear Mr Arendse's response as I believe there are still ongoing consultations by him with the office of the President.

CHAIRPERSON: Shouldn't we, without ruling then, establish from you whether you are not able to carry on as you were carrying on until at least the lunch break without having to refer to this document or are you saying it is going to ...?

MR VALLY: I am not going to refer to this document.

CHAIRPERSON: Okay.

MR VALLY: It's General Knobel who wants to refer to this document.

ADV POTGIETER: And that seems to be our difficulty, that is the point that Mr du Plessis makes. Mr du Plessis says that it is not us, we are not disclosing the document, his client wants to do that. His client is the author of the document and it's his. I don't know whether we have got any power to stop his client, that is what I don't understand.

CHAIRPERSON: We may not have the authority to stop his client but Mr Arendse may want to say, on behalf of his client he a right to intervene.

MR ARENDSE: Well the undertaking is very specific and with respect, your Committee is established under the Act and under the Commission. The Commission gave an undertaking here that it wouldn't. But I don't see why this is an issue at this point quite frankly. Your suggestion is a practical one. I'll try and clear it up as soon as possible before or during lunchtime and we can deal with it on that basis.

CHAIRPERSON: Mr Vally and Doctor Knobel, let's see if we cannot host until the lunch break without having to refer to this specific document and by which time I'm sure Advocate Arendse will have taken the necessary instructions.

DR KNOBEL: Thank you Sir.

CHAIRPERSON: Mr Vally?

MR VALLY: General Knobel, can you give us a short account of what would you see as having been the main achievements of the Chemical and Biological Warfare Programme during the period you were Surgeon General?

DR KNOBEL: Mr Vally, I quite frankly don't understand the question, could you define it a bit better please?

MR VALLY: Well, very simply this, a whole programme is instituted, a Chemical Biological Warfare Programme and we have heard that at least a hundred million rands was spent on it. We want to know what do you see as having been the positive achievements of the Chemical and Biological Warfare Programme, as short account in the period that you were Surgeon-General.

Mr Chair, it's General Knobel who is testifying and he is under oath and Mr du Plessis is there to assist him but not to answer on his behalf. Now this is not the first time that he is talking to General Knobel and giving him answers before General Knobel answers.

MR DU PLESSIS: I want to put it on record that at no stage did I supply answers to him.

CHAIRPERSON: Okay, let's not fight about this. I don't want to testify from the bench and I didn't hear what you were saying but you were saying something in his ear. You may have been giving him legal advice. Let's play it this way, give the witness an opportunity. I know you may have been - I don't want to dampen the enthusiasm of legal advisors from making sure that their clients' interests are safeguarded but give him is first opportunity. If you feel that the question that is put is unfair, then you must immediately say: "No, I believe that question is unfair".

MR DU PLESSIS: I will do that.

CHAIRPERSON: Yes. We have been fighting all day long, we now want to get peace.

MR DU PLESSIS: Is there some ecstasy in it Mr Chairman?

CHAIRPERSON: Maybe we need ecstasy or may, what's it, dagga.

Mr Vally - oh, General?

DR KNOBEL: I'm eager to answer the question Mr Chairman.

Mr Vally, in order to assess what has been achieved one would have to go back to what the original aims and objectives of the programme was. I will now in respect for the Chair, try and deal with that without referring to the document.

MR VALLY: Thank you General Knobel, but I would like to just help you streamline your answer in view of the fact that we have still got potentially Doctor Mijburgh and Doctor Basson to deal with.

Maybe if you'd start off by telling us what the elements of the Chemical and Biological Warfare Programmes was but I accept the one element was to make protective clothing, gas masks etc., we know that was one element. Other than that element, can you tell me what the other elements of the Chemical and Biological Warfare Programme were?

DR KNOBEL: Mr Chairman, I will certainly come back to those elements which Mr Vally thinks are not, or indicates are not important, it's extremely important but I will say this: In the first place intelligence was obtained about Chemical and Biological Warfare that is now on record and which is considered to be a national asset, which gives information about the Chemical and Biological Warfare capabilities of very many signatory states as well as non-signatory states in the world. That is of vital importance in my opinion to our country.

Secondly, the primary reason for the project, which was to develop a defensive capability, was in my opinion totally achieved but then you must allow me to analyse what I mean by a defensive capability, and the situation changed after '93.

Before 1993 and before South Africa was a signatory to the New Chemical Weapons Convention and was still a State's party to the 1925 protocol, a defensive capability meant that not only did it have all the necessary equipment to protect, to decontaminate, to support it's own troops in the field that might have been exposed to either Chemical and Biological weapons but it also meant that in terms of the way in which South African signed that protocol, it had the

right to retaliate, it had the capability to hit back if necessary. The conditions under which that would have been done is well described in the 1925 protocol.

It must be understood that a defensive capability does not exclude the possibility of going over into the offensive when you have to ensure that enemy troops may be using chemical weapons against you and therefore forcing you into your defensive equipment and therefore giving you a major disadvantage on the battlefield, must also in turn be forced to go into a similar situation where they are also in their defensive equipment and therefore then again equalising the battlefields.

I'll summarise it in that fashion, that I'm saying that that capability was fully developed. But I want to say something else about defensive. Defensive is possibly better ...[intervention]

MR VALLY: I'm sorry General Knobel, I just wanted, on that point when you say that capability was fully developed, can you tell me this capability to retaliate, to strike back, can you tell me what you are talking about there?

DR KNOBEL: Yes, I can. The choice of retaliation depends on the signatory state that have exceeded to the convention. In the development of this capability the philosophy was spelt out very clearly, that in this project we would not embark in creating an offensive capability with classical lethal chemical weapons and therefore I can declare quite emphatically to you that at no time were classical chemical, or for that matter, biological weapons developed, weaponised with delivery systems and there was no intent ever to use any of those weapons on the battlefield.

The philosophy allowed us to consider a second category namely incapacitating agents and a third category namely irritating agents. As the project developed, the capability of producing a highly effective irritating agent which could be used in a dual use situation, either as an anti-riot control agent or as a conventional agent on the battlefield, arose and the choice was then made that that would be the ideal chemical substance to weaponise to put into delivery systems with the intent of using it in retaliation in terms of the signatory requirements of the 1925 protocol.

MR VALLY: Can you tell us firstly, which capacity was developed?

DR KNOBEL: The capacity I'm referring to is the ...[intervention]

MR VALLY: I'm talking specifically, was it some biological capacity, was it a chemical capacity?

DR KNOBEL: No, no. Let me clarify the point immediately and very emphatically. At no time was it ever considered to develop a biological warfare

offensive capability, at no time. I just emphasis that. And therefore all the organisms and toxins that were studied were never considered either for weaponisation or for delivery systems and there was no intent ever to use them.

South Africa is also a signatory of the Biological Weapons Convention which has been in existence since 1975, so there is no way that South Africa could embark on any such an action. Therefore I repeat and I say it emphatically, only an irritating agent which is dual use agent for anti-riot purposes but also could be used in a conventional offensive capability, was developed, it was produced in large quantities, was weaponised and was put into delivery systems with the clear intent to use it under the conditions which prevailed in terms of the 1925 protocol.

MR VALLY: Are we are talking about CS gas and CR gas?

DR KNOBEL: Well CS gas existed long before that, CR is what I'm talking of Mr Vally.

MR VALLY: And that is all?

DR KNOBEL: That is all.

MR VALLY: Can I refer you to ...[intervention]

DR KNOBEL: Can I - sorry Mr Vally, you asked me to give the total capability.

MR VALLY: Sure.

DR KNOBEL: I want to point out that the minute South African signed the New Chemical Weapons Convention in '93, in January 93, and ratified it later on - the date escapes me for the moment, and ratification in itself then led to the implementation and the entry into force of that convention which took place on the 28th of April '97, that precluded South Africa from using CR in a conventional offensive situation.

So, the offensive capability that we had developed and the weaponisation that had been carried out and the delivery systems that were in existence, that had to be dismantled with regards to the application of CR in the battlefield. And likewise in terms of that convention, the possession of CR had to be declared and South African has done exactly that, in terms of the New Convention.

MR VALLY: So, on the one hand the defensive capabilities, gas hoods, masks, procedures to deal with chemical attacks, on the other hand you say the capacity to retaliate, and I note the capacity to retaliation and you're referring to the weaponisation of CR gas there. I want to refer you to TRC 111, and TRC 111 - I'll allow you to get it but I'll just read the heading of TRC 111 out to you in the meantime:

"Memo to the Steyn Commission regarding alleged risky activities of SADF components"

DR KNOBEL: I'm sorry, I'm not getting it straight away.

MR VALLY: That's alright. It was a document that was given to you I believe.

DR KNOBEL: No, no, I have it but I have some difficulty in getting it in front of me.

MR VALLY: It will be the second last document.

DR KNOBEL: Right, I have it in front of me, thank you Mr Vally.

MR VALLY: I refer you to page A2.

DR KNOBEL: Yes, thank you.

MR VALLY: Paragraph (d) IV, under the heading:

"Seventh Medical Battalion"

DR KNOBEL: I've got it.

MR VALLY: It says:

"Involvement in Chemical Attack on Frelimo"

You are aware that in January 1992 there was an alleged chemical attack on a unit of Frelimo close to the South African border. You are probably also aware, in terms of evidence we have received, that one of the front companies, Delta G, was working on BZ. You probably are also aware that a British expert from Porterdown who did a report on the attack on the Frelimo soldiers, claimed that there appeared to have been a chemical attack by BZ, a variant thereof or an analogue thereof. Now I need to ask you an emphatic question, are you aware of a chemical attack on Frelimo troops close to the South African border in January 1992, carried out by elements of the South African Defence Force?

DR KNOBEL: Mr Vally, I will give you just as an emphatic answer as your question is, the answer is no, but I would respectfully say that you should also read the reports of other investigations that were carried out in terms of this allegation and they are included in your bundle and we can deal with one and each and every one of them and we can read the conclusions of each of those investigations and then the truth might emerge far more clearly than the report of Porterdown that you are referring to.

MR VALLY: Are you aware of any other chemical attack whatsoever carried out by South African Forces?

DR KNOBEL: No, Sir, I'm not.

MR VALLY: Let's get back, and I'm trying to move a bit faster so if I go too fast please ask me to slow down. If I understand it, you had what was called a Special Operations Group which were the medical personnel attached to the

Special Forces. It was then decided to have a separate medical unit attached to Special Forces, which went by the name of the 7th Medical Battalion which is part of the entire South African Medical Services. Am I correct in referring to the 7th Battalion as being the Special Operations Group that was attached to Special Forces?

DR KNOBEL: Mr Vally, I'm now very much tempted to refer to the TRC briefing that I've given you because the development of that battalion group is described in great detail, including what their role and functions were and how they were developed and so on. I'm at a loss now how to deal with this. I would very much like to deal with it in detail.

MR VALLY: Fine. Well maybe if I can avoid that, pending the lunch break, was ...[intervention]

MR ARENDSE: Chairperson, my instructions are that we won't object to the General referring to that part of the briefing.

MR VALLY: Yes, but I don't want too much detail, thank you Advocate Arendse.

MR ARENDSE: Obviously if it's not relevant or necessary for Mr Vally's inquiry then ...[intervention]

CHAIRPERSON: Thank you very much Mr Arendse.

MR VALLY: Was there a battalion, 7th Medical Battalion I believe it is called?

DR KNOBEL: It is called 7th Medical Battalion Group Mr Vally. Yes, there was.

MR VALLY: And who was the Officer Commanding of the 7th Medical Battalion Group?

DR KNOBEL: The first Officer Commanding was Lieutenant Colonel Basson.

MR VALLY: That's Doctor Wouter Basson?

DR KNOBEL: Correct.

MR VALLY: And later Brigadier Basson?

DR KNOBEL: That's also correct.

MR VALLY: And it was the 7th Medical Battalion which was ultimately responsible for the front companies, more specifically Delta G and RRL?

DR KNOBEL: No, Sir, not at all.

MR VALLY: Fine. Can you tell us who was responsible for that? To whom were the front companies, specifically RRL and Delta G, accountable?

DR KNOBEL: You asked the question whether it was the 7th Medical Battalion to whom those companies were responsible, the answer to that is no. The two

companies had been established through the auspices of the project that was being run at the time and the Co-ordinating Management Committee of the project did the initial planning with the help of the Project Officer who was Colonel Basson at that time and it was approved by the Minister, that the companies could be erected. The budgets of the companies were dealt with in an objective budget fashion and the Minister approved that and the personnel and the research that was conducted in the companies with planned by a Technical Work Committee which consisted of the Project Officer and those person that had been identified to be the Managing Directors of those companies.

Each and every time the broad guidelines for the research were given, first by the Minister, then refined by the Co-ordinating Management Committee and then worked out in detail so that it could be translated into budgetary terms and then the companies operated.

MR VALLY: Well I need to know exactly who was responsible for what. We seem to have got evidence which you are aware of that Doctor Wouter Basson was ultimately the responsible party for these two companies, now you are telling me that the directions first came from the Minister, then the Co-ordinating Committee. Can you tell us who was on the Co-ordinating Committee?

DR KNOBEL: Yes, the Co-ordinating Committee consisted of the Chief of the South African Defence Force ...[intervention]

MR VALLY: At the time?

DR KNOBEL: As the Chairman, and obviously those position changed as the individual changed. Secondly the Surgeon-General, my predecessor initially and later on myself. Thirdly, the Chief of Staff Finance. Fourthly, the Chief of Staff Intelligence and then other members that were initially coopted, depending on where the project stood at the time, those members later on became full members of the Co-ordinating Committee.

I'm referring to the Chief of the Army, I'm referring to the Commanding Officer of Special Forces, the Commanding General of Special Forces, I'm referring to the Chief of Staff of the Defence Command Council and I believe at a stage later on the Chief of the Airforce was also on one of these meetings or twice, I'm not sure, and lastly members of ARMSCOR also took part in meetings. In fact there was also a member from Auditor-General at certain stages.

MR VALLY: So are you saying that after the Ministerial level, the Co-ordinating Committee, which included yourself and Brigadier Basson?

DR KNOBEL: He was the Project Officer and acted as a Secretary to the Co-ordinating Management Committee.

MR VALLY: Who was responsible for all these front all these front companies and the project they were running?

DR KNOBEL: No, Sir, he was responsible for all the documentation that was dealt with by the Co-ordinating Management Committee and he was the direct link with companies, if that is what you mean by responsible.

MR VALLY: Fine.

DR KNOBEL: That's correct.

MR VALLY: So he was the direct link?

DR KNOBEL: That's correct.

MR VALLY: I see. Tell me, what is your understanding of hard projects as compared to soft projects?

DR KNOBEL: Mr Vally, the hard and soft projects were not known to me until I saw the documents that had emerged from the trunks and when I saw this terminology being used.

MR VALLY: So you say you are not aware of such a distinction?

DR KNOBEL: No, you didn't listen to my answer.

MR VALLY: I'm sorry, you are talking a bit softly, I don't know if I can get the sound person to turn the sound up a bit if it is possible, I beg your pardon.

DR KNOBEL: It would also help if you don't talk to somebody while I'm answering your question Mr Vally.

MR VALLY: No, I appreciate that I'm still trying to prepare some other issues.

DR KNOBEL: I'll repeat the answer Mr Vally.

MR VALLY: Thank you.

DR KNOBEL: I said that the term hard and soft projects were never used within the Co-ordinating Management Committee. I personally became aware of that distinction when I had the opportunity to look at the documents that had come out of the trunks, and I saw that there were documents referring to so-called hard projects and documents referring to so-called soft projects.

MR VALLY: Was this the first time that you became aware of such terminology being used?

DR KNOBEL: Correct. Mr Vally, I'm a little bit unhappy with the answer on your questions, I would just like to clarify that a little bit further if I may.

The Co-ordinating Management Committee which was the overall broad directive, the committee that gave direction to the entire project, was subdivided into working groups. I've already mentioned the one called the Technical Work Group which was the Project Officer, the Managing Directors of the Companies involved and the scientists within those companies. They did the scientific research planning per company, each company being dealt with separately.

In fact in the beginning the companies were not supposed to know about each other's existence and so on. The only person who had knowledge of those two companies was the Project Officer. I'm talking specifically about Delta G and about Roodeplaat Research Laboratories.

But here were also other Committees. There was a General Administration and Financial Committee which was under control of the Project Manager which was the Surgeon-General assisted by the Chief of Staff Finance and the Project Officer was obviously also a member of that committee. That is where the broad budgetary planning was done on behalf of the total Co-ordinating Management Committee.

After 1990 the Chief of Staff of the Defence Command Council became a member of that committee, in fact he became the Chairman of that committee and the financial planning and the budgetary planning was done in that committee. But at the same time there was also another committee called the Security Committee. The security aspects of this project was of vital importance. That was the Chief of Staff Intelligence with the Surgeon-General and the Project Officer who had to look after the security aspects of the project.

So I'm just trying to say to you that it would be unfair to leave the Commission with the impression that there was only one committee that dealt with the companies. The Security Committee had freedom of movement to do it's own security analyses about the project.

MR VALLY: Right, let's just talk about, at this stage, about two of the Committees. Firstly the Co-ordinating Committee and the Security Committee. The Co-ordinating Committee, would they get report-backs on what projects were being run, the success of those projects, progress to date, money being spent?

DR KNOBEL: Yes, they did but I have to qualify that. The detail made available at the Co-ordinating Management Committee was in terms of the achievement of objectives that had been formulated and approved by the Co-ordinating Management Committee and it would be very broad guidelines. The

members of that committee did not have either the scientific knowledge or background to be able to deal with the absolute detail of projects at grassroots level, if you will accept that term, but in broad terms the type of reporting that would be done is: we have now completed our investigations into all irritating agents or into all the classical chemical weapons or into this particular category of the classical chemical weapon.

There was never an opportunity to really discuss in detail what particular experiments were carried out about the very vast numbers of chemicals that had to be studied or ...[intervention]

MR VALLY: Let me get an understanding of the degree of detail General Knobel. Were you for example told that we have cultivated various toxins? Broad, nothing specific?

DR KNOBEL: Yes, I think that would be incorrect to say that is what happened. I think what would have happened was: "We have now embarked on studying the classical biological weapon groups, all the organisms as well as all the toxins that are normally considered to be classical biological weapons".

MR VALLY: And what's considered to be classical biological weapons is determined by literature in this regard, so people would know what you're talking about?

DR KNOBEL: Yes, I don't think that quite frankly the members of the Defence Command Council would have those facts at their fingertips ...[intervention]

MR VALLY: But you would?

DR KNOBEL: No, not necessarily but I'll tell you what does apply. In conventions there are schedules published with regard to the conventions which indicates exactly what the classical schedule one and schedule two ...[intervention]

MR VALLY: But that's what I'm referring to.

DR KNOBEL: Yes.

MR VALLY: You would know if they gave you a report of that sort, which particular ...[intervention]

DR KNOBEL: Yes. And if I didn't I would check it on the list of the applicable convention.

MR VALLY: So you would be told for example only that: "We've developed certain toxins as set out in the schedules" or would you be told for example: "We have managed to create cultures of Anthrax"?

DR KNOBEL: Yes, Mr Vally, you know you're putting the question as if, whether I would be informed whether we have developed cultures of Anthrax of something like that.

MR VALLY: Yes.

DR KNOBEL: It wouldn't be in that form, it would be: "We are now embarking on the study of Anthrax" and that would be a very complete study, it would be the literature study about how it is utilised in a biological weapon system, it's dissemination techniques, it's dispersal characteristics, it's pyrotechnic characteristics, it's contagiousness, it's toxicity, it's treatment regimes if you want to control it, it's a very, very complete study.

MR VALLY: Fine. Let me just determine what you were specifically aware of in terms of what you've set out. Were you aware of such a study into cholera?

DR KNOBEL: Oh yes, oh yes, we have also declared that in terms of the requirements of the Convention ...[intervention]

MR VALLY: Salmonella?

DR KNOBEL: So it's pretty - yes, Sir.

MR VALLY: Paraoxons?

DR KNOBEL: No Sir, Paraoxons are Organo Phosphates that are not declared in terms of the Biological Weapons Convention ...[intervention]

MR VALLY: Were you aware ...[intervention]

DR KNOBEL: No, let me just answer the question please. But it would be included in the broad study of all Organo Phosphates which are classical chemical weapons, schedule one.

MR VALLY: So you didn't know specifically about Paraoxon? You knew about cholera, you knew about Anthrax, you knew about Brucella ...[intervention]

DR KNOBEL: Brucella.

MR VALLY: Brucella I believe?

DR KNOBEL: Yes, I believe so.

MR VALLY: Do you know about Monensin?

DR KNOBEL: No Sir. That detail was not discussed at the Co-ordinating Management Committee level or for that matter at the Administrative and Financial Committee.

MR VALLY: Was the intention into the study of these toxins I've referred to, just for defensive purposes to understand its effects, if so, why was it necessary to produce them on a large scale if there was literature already

available on it, for example Anthrax, Anthrax has been written about since 1942 or even before that.

DR KNOBEL: Mr Vally, most of those organisms produced diseases that are well-known all over the world. The technology of converting them into weapon systems is the subject of research, so that you know exactly how they can be altered, how they can be utilised within the weapon programme and how you have to defend yourself against them.

So the type of study that had to be performed was to go into that type of detail so that your defensive system and your preventative protection of your troops in the field would be totally covered.

MR VALLY: So would you be given those reports? Would you be told ...[intervention]

DR KNOBEL: I've already answered that question.

MR VALLY: No, no, I'm talking about that kind of detail, you personally.

DR KNOBEL: No, indeed not.

MR VALLY: I will come back to this because if the purpose is purely to study the facts of those substances, but I'll come back to this. A lot of the documentation that you are aware of, that we are aware of in terms of this bundle of documents we have, talks about trying to make some of these toxins colourless and odourless, was that also part of your programme?

DR KNOBEL: Mr Vally, given the nature of the conflict which existed at the time and the necessity to be equipped to deal with the perceived threat at the time, such research in my opinion could be justified. However, if you look at those documents that you are referring to at the moment and you read each and every one of them carefully and you see what the comments are within those documents with regards to application and application techniques etc., lethal dosages and so on, then I will admit to you that looks highly suspicious of either abuse or the intention to abuse those substances.

MR VALLY: Were you aware of the quantities being produced?

DR KNOBEL: Of course not. I have already said to you and I said so this morning in my statement, that the research and development documents that were found in the trunks that I indicated to you, was in my opinion the research and development documents of the two companies involved had such documents that I'd never seen before 1997.

MR VALLY: And were you aware of toxins such as Monensen, which for us lay people causes muscle weakness and degeneration, breathing difficulties and death, specifically toxic to the human heart and difficult to detect?

DR KNOBEL: Mr Vally, no, I was not aware of such substances. When I was asked to look at the documents that have been found in the trunks, both Colonel Steyn and I analysed all those documents. The analysis is contained in the report which is known as Project Cloud.

MR VALLY: Are you saying that the development of such toxins were kept from you?

DR KNOBEL: Of course.

MR VALLY: By who?

DR KNOBEL: Well I think by Doctor Basson but I must say at the same time I did not expect to have that kind of detail. I was satisfied that the parameters in which the research was being carried out was against the background of the mandate of the project.

MR VALLY: I understand that ...[intervention]

MS SOOKA: Sorry, sorry Chair. I'm sorry, you're giving us an answer which could have one of two meanings.

DR KNOBEL: Yes.

MS SOOKA: Now, either it was on a need to know basis and you claimed that you were then not informed because of that, or as the Surgeon-General you were part of the committee that should have had control and the person who should have kept you informed was Doctor Basson. Now I would certainly like for myself, a clearer answer from you.

DR KNOBEL: Yes, certainly. Certainly you are correct, that Doctor Basson should have informed me if any research was conducted that was outside the mandate of the project as it was given, namely to develop a comprehensive defensive capability.

CHAIRPERSON: Are you saying, and I think just to round up that question, are you then saying that to the extent that you were surprised only in 1997 by the documents which were taken out of the trunks which purport - I don't want to put it higher than that at this stage, which purport to be evidence of the development of toxins and substances which were outside your mandate, to that extent Doctor Basson kept you in the dark about that process?

DR KNOBEL: Yes, Mr Chairman, but you must allow me to qualify that. I said just now that given the nature of the conflict and the perceived threat, it would be justified ...[intervention]

CHAIRPERSON: No, no, I'm not asking that question. I'm asking a question of fact. If, as we now have a situation that in 1997 you get confronted with documents which in your informed opinion as a scientist contains evidence of

the development of toxins and substances, the nature of which in your view went beyond the mandate of what you were supposed to be doing, and you say you were not aware of those researches, is it therefore your evidence that you were kept uninformed to that extent?

DR KNOBEL: Yes, that is correct.

CHAIRPERSON: And the person who should have informed you and did not inform you was Doctor Wouter Basson?

DR KNOBEL: Yes, that's correct.

CHAIRPERSON: Mr Vally?

MR VALLY: Let's go to the: "Verkope List", and I'm sure you know it well, TRC 52.

DR KNOBEL: Yes, you may proceed, I will get it.

MR VALLY: Sure. We've canvassed this at great length with many witnesses and I need to know if you knew any of these items. We're talking about enough Cholera here to, as we've heard, start a small epidemic, we're talking about Typhoid in deodorant, we're talking about Anthrax in chocolates, we're talking about Aldicarb in chocolates, we're talking Cathridene in chocolates, we're talking about cyanide in chocolates, now would these items, in terms of the mixtures, would they be seen as delivery systems in terms of the language you were using in the military?

DR KNOBEL: No Sir, I don't understand that question. I can answer this: Many of the substances here would be included under the headings of what I consider classical chemical weapons or classical biological weapons, so ...[intervention]

MR VALLY: Okay, could you just quickly run ...[intervention]

DR KNOBEL: No, let me just answer this question.

MR VALLY: I'm so sorry but on that point, could just quickly run through the list and tell us which substances are classical biological weapons?

DR KNOBEL: Well certainly the, if you look Phencyclodene.

MR VALLY: Right.

DR KNOBEL: As far as my knowledge is concerned that could easily be developed as a incapacitating agent.

MR VALLY: That is Phencyclodene Thallium Acetate?

DR KNOBEL: Listen Mr Vally, I want you to understand something. The Chairman just said now: "As a scientist", now exactly what does he mean by that? I'm not a chemist and I'm certainly not, I haven't got the chemical background to be able to analyse each and every one of these and then say:

"This falls into that category and this falls into that category". I'm saying, if you look at this list in the broadest possible way and you examine it against the list of scheduled chemicals and you have a chemical expert that can analyse it for you and tell you, then you will find that many of these substances fall within the classical list of chemical weapons.

MR VALLY: Fine.

DR KNOBEL: I'm talking about chemical weapons or chemical lists and these schedules of 66 different substances. I would require somebody like Professor Folb to help me to decide whether that would be a substance included under a particular heading. In the briefing I gave you in January last year you will see that I gave you the broad categories. And I would need a chemical assistant to advise me which of these substances fall within those broad lists and I would be satisfied if that is given to me, that if they are in those lists then they would be justifiable to examine fully.

MR VALLY: What I want ...[intervention]

DR RANDERA: Sorry, can I just ...

General, can I just come back to your Co-ordinating Committee?

DR KNOBEL: Yes.

DR RANDERA: In the same light of what you have just been arguing. I think you are a Doctor of Medicine before you became ...[intervention]

DR KNOBEL: Medical doctor yes.

DR RANDERA: Of anatomy and I accept like myself that we don't have all the knowledge of it.

DR KNOBEL: Correct.

DR RANDERA: But yet when it came to your Co-ordinating Committee and the Technical Committee which was part of that, the person that was put in charge as the Project Officer was also a doctor, Doctor Basson.

DR KNOBEL: And had a Masters Degree in Chemistry.

DR RANDERA: And had a Master Degree in Chemistry but again, in terms of your own structures, was that not a weakness that you were putting all the power almost in one person who was then reporting to you?

DR KNOBEL: I'll answer the question by saying the following: The selection of the Project Officer at the beginning of the project which I had no part in, was done by my predecessor. Clearly the person you wanted to be the ideal Project Officer would have to be a person with detailed knowledge of chemistry and certainly would have to be also partly a person with a higher degree in

medicine. These qualities is what Doctor Basson had and I take it that that was exactly why he was chosen.

Now what I'm saying further is, the Co-ordinating Management Committee would approve a study of all the classical chemical agents which are known as schedule one chemicals, that would be the broad guideline given. And the Project Officer would then say: "We are now embarking on the classical lethal chemical weapons. We're going to study 500 different chemicals" which are not only the sort of, the group, as a group, but all the various derivatives that you could find within that group. For example, the Organo Phosphates, there are many, many Organo Phosphates that could be studied, although in a classical chemical arsenal you normally would find two or three or four of those Organo Phosphates.

And the Co-ordinating Management Committee would then say: "Right, what sort of requirements do you have to be able to fulfil that objective, namely to look at all the classical lethal chemical weapons and the Technical Work Group would then go and do an estimate of what experimentation would be required, what kind of staff would be required to do that work, what kind of laboratory you would have etc., etc., etc., and they would translate it into budgetary terms and they would come back to the Co-ordinating Management Committee and say: "If we want to do this and we want to deal with the classical ones during this year, we are going to require ...[intervention]

DR RANDERA: Thank you General, just one other question before I hand over to Mr Vally again. I understood you to say that you were brought into a discussion earlier on, into the Chemical and Biological Warfare potential that needed to be developed within the South African Medical Services.

DR KNOBEL: Yes.

DR RANDERA: And then you went on to do your officers training programme etc., you then become part of the structure again as I assume it, in 1987 when you take over as a Surgeon-General?

DR KNOBEL: 1988.

DR RANDERA: Now in-between, in the sort of early period when the ideas were taking root, when the research was being done into what needed to be provided for the South African Army, were you still part of any technical committee, any structure, in that interim period?

DR KNOBEL: No, Sir.

DR RANDERA: So your roles only comes in 1987?

DR KNOBEL: No, that's not quite true. Let me correct you please. I was away during 1987, I came back in 1988 and I was appointed Surgeon-General in 1988.

DR RANDERA: Right.

DR KNOBEL: From '83 onwards the Surgeon-General informed me about the programme and allowed or invited me to attend the Co-ordinating Management Committee Meetings from time to time.

DR RANDERA: So you were part of the structure in those early years.

DR KNOBEL: Yes, yes.

DR RANDERA: And you knew - I would imagine that as you were working up to building up a programme you would decide what the areas of research would be and you would have been party to those discussions?

DR KNOBEL: No Sir, you misunderstood what I said. We would certainly decide and approve, the Co-ordinating Management Committee would approve the broad guidelines as to dealing with developing a comprehensive defensive system. For example, if you start off with a programme like this your first requirement would be to send somebody out into the world to find out what exists in the world, what are the programmes of other governments in the world and that is exactly what the Project Officer did.

He went on a world tour, he penetrated many different countries' programmes and came back with that information and he came back with the information that this country concentrates on that particular group of chemical weapons and this one on that and we very soon realised that the old approach of developing lethal agents was gradually falling away and that all countries, particularly the super powers that had vast capabilities were concentrating on incapacitating agents for example.

But at the same time you must realise that we had to teach our scientists or allow our scientists to develop the skills to deal with these substances under security as well as safety conditions. We had to allow them to read up on all the documentation and all the intelligence that we had gathered about what other countries were doing.

So a very large portion of the initial research went into establishing a data base about what is available in the world, what is being concentrated on, what do we have to protect ourselves against. Realising that we are looking at a potential threat from forces deployed in Southern Africa, and I'm talking about the surrogate forces of the USSR, namely the Cubans that were here. That is where we considered our main threat to be coming from.

And therefore it was important to find out what the philosophy was in the USSR, what substances they were studying and developing and weaponising and creating delivery systems for and what information could we obtain from them. And I want to say this, it is not so easy to get that type of information, it is not available in the everyday press or in the scientific journals, you have to penetrate those organisations and actually find out what they are working on.

Now that process took quite some time. The feedback that was then given to the Co-ordinating Management Committee via the Project Officer who had done this research and who had consulted with some of the scientists in their particular fields, whether it is toxicology or whether it is synthesis or analysis or whatever the case may be.

They would come back to us and say: "We believe we should now concentrate on the Organo Phosphates, that is today what is being studied all over the world". And that kind of guideline clearance would be given, it would be changed into budgetary terms and money would be allocated for it.

DR RANDERA: Thank you General.

DR KNOBEL: Thank you.

CHAIRPERSON: Can I have another question from Miss Sooka for clarifying?

MS SOOKA: General, I'm not a military person and so when you use the word: "penetrate" I would like an explanation of what exactly that means.

DR KNOBEL: Well, Miss Sooka, if you want to protect an individual against an agent that he or she could be exposed to, then it is important to know what the penetrating capacity or capability is. ...[intervention]

MS SOOKA: I'm sorry, I think I'm asking a very direct question, what does penetrate mean? Does it mean entering someone else's programme without their consent ...[intervention]

DR KNOBEL: Oh, I beg your pardon.

MS SOOKA: Would that in effect mean spying?

DR KNOBEL: Yes, I understand what you mean. I'm sorry, I misunderstood your question. Penetration also means for an agent to go through the skin or to enter the respiratory system or to get into the bloodstream or whatever, that's what I thought you meant. But penetrating other systems means spying on them and entering their capabilities under false pretences so that you can obtain information, that's correct.

CHAIRPERSON: Can I just extend that question by asking, did you have for that purpose, an own intelligence capacity or did you rely on the National Intelligence Services?

DR KNOBEL: No, we relied on Military Intelligence but Obviously the Intelligence Services in our country at that time had components in the military environment, in the National Intelligence environment and also within Foreign Affairs and also within the Special Branch of the police. And any information that was gathered by them that was available within the intelligence community, could be analysed and then could be dealt with by our scientists and by Doctor Basson.

CHAIRPERSON: So the National Intelligence Service was also the source for your intelligence?

DR KNOBEL: Yes, they may not have been aware of it but they were certainly a source.

CHAIRPERSON: Oh I see.

MS SOOKA: Sorry Chair, may I? When you say they may not have been aware of it, can you clarify that for me please?

DR KNOBEL: Yes. Miss Sooka, the programme that had been approved by the Minister and then by the decision of the Minister allocated to the Surgeon-General, was with a very strict guideline that no official co-operation was to take place with any other country or with any other organisation. It was to be done in a clandestine covert fashion. Do you understand what I'm saying?

CHAIRPERSON: No, I don't think, I certainly do not understand. I think the question is simple here. You said, in order for some of the programmes to be done with efficacy - I'm not quoting your direct words, it was necessary to penetrate enemy lines, enemy programmes, in other words meaning spying on them and all that. Now I said, for that to happen, did you rely on the intelligence gathered by for instance, National Intelligence Service, in other words South African National Intelligence Service? And then you said: "Military Intelligence, Foreign Affairs, etc., etc., and then you said: "They may not have been aware of it". And I think Miss Sooka wanted to get a clarification on that.

DR KNOBEL: Yes. There was no official representation to National Intelligence to help us gather information with regard to chemical weapons, that is what I'm saying, but there was certainly co-operation at grassroots level to obtain information that had been gathered by National Intelligence, that is certainly true.

CHAIRPERSON: In other words you are saying, it happened except that it was not official? When a person from NIS came to you and said: "Listen, this is

what we gathered", you wouldn't say: "Hey, hey, I don't want to hear this because I'm not supposed to hear it", you would say: "Ja, thank you"?

DR KNOBEL: Of course.

CHAIRPERSON: Yes, okay. And on that intelligent note can we take the lunch break and come back at two.

COMMITTEE ADJOURNS

ON RESUMPTION

CHAIRPERSON: Mr Vally, I just want to indicate that at some stage I need to get an indication from the Investigative Team through you, former Minister Roelf Meyer was mentioned here on two occasions at least in a manner that might lead to a finding to his detriment, and I just want to know from the Investigators if this is information that came to their attention only now or it had come to their attention earlier and if it had whether steps were taken to consult. You don't need to do it now. I just want to remember that by the end of the day you must clear the record as far as that is concerned, given all the legal requirements of notice and opportunity to be heard.

MR VALLY: Thank you Mr Chair, we will look into that.

CHAIRPERSON: If you can then proceed Mr Vally.

DANIEL PETER KNOBEL: (s.u.o.)

MR VALLY: General Knobel I just want to ask you one question before I go on with the document I was referring to. When you talk about enemies, and remember we are talking about the time when you were Surgeon-General and especially the early part of your tenure when you got involved in the Chemical Biological Warfare programme, you mention in referring to enemies Russia, you mentioned - I think you used the words, **the Cuban surrogates** in Angola, would you have included the ANC as enemies?

DR KNOBEL: Well Mr Vally I certainly wasn't responsible for determining who the enemy is.

MR VALLY: No I understand, but your understanding of what enemies meant at the time.

DR KNOBEL: Understanding we - we understood under that heading that the potential threat would be coming with engagements between South African forces and Cuban forces and Apla forces - no I beg your pardon, MPLA forces in Angola ...(intervention)

MR VALLY: FAPLA, yes.

DR KNOBEL: FAPLA, yes, thank you, as well as what was, at that time, considered to be terrorist organisations.

MR VALLY: Fine. Now a lot of the unrest, a lot of the resistance was by internal political groupings, especially the youth, in terms of the category **enemy**, would they be included as **enemy**?

DR KNOBEL: No certainly not.

MR VALLY: Let's look at TRC52, you have it before you.

DR KNOBEL: Yes.

MR VALLY: Now I am just wanting to determine which of these items would be within, I am talking about the production of the chemical or the toxin, would be within the parameters of the programme ...(intervention)

DR KNOBEL: Can I, Mr Vally ...(intervention)

MR VALLY: Sure.

DR KNOBEL: ...with your permission.

MR VALLY: Certainly.

DR KNOBEL: I took the liberty at lunch to ask Chandre Gould to copy some pages out of a book called "The Chemical and Biological Warfare Threat". Mr Chairman if you will allow me I will ask Chandre to give each member of the Commission a copy of those pages which lists the classical chemical warfare agents and the classical biological warfare agents, and that would certainly help me to explain to you what I was trying to say before lunch, that any agent that falls within those categories that are on those lists would be recognised or internationally accepted warfare agents or potential chemical warfare agents. It would be against those sort of lists that the substances on TRC52 would have to be tested. If those substances on TRC52 falls within the categories of those lists I would say it would be justifiable to examine them or to research them.

But I am also saying, taken the face value of this document and what is written on this document and indicating for example whisky along with it, and indicating what volume and a price and so on, that is highly suggestive of either abuse or planning to abuse. That's what I am saying.

Now you will find if you look at those pages that I asked them to copy for us, that we will undoubtedly find things that would fall under the incapacitating agent group or under the irritating agent group or under the lethal group of chemical weapons, and you will undoubtedly find organisms that are within the list of the classical biological weapon group.

Maybe that will save time Mr Vally, I don't know.

MR VALLY: It certainly will and yes, you can very briefly say it's referred to on the list that hopefully we will receive.

DR KNOBEL: Then I just want to repeat what I said earlier on, I am not - I don't have a sufficient chemistry background to make the fine distinction, but it wasn't necessary to do so because this sort of thing was never at the level of the Coordinating Management Committee.

MR VALLY: Well we will come back to that in a short while. DR KNOBEL: Right.

DR KNOBEL: But let's just start with the list. Now the first item on the list; phencyclidine, and as I understand it this is a major of street drug preparations. It can cause a psychosis indistinguishable from schizophrenia and deaths have been reported from its illegal use. It can also produce an amnesic trans-like state. Was this on your list of allowable toxins? I am going to ask you about all of the items so if you want to come back to any item we can come back to it at some stage.

DR KNOBEL: Mr Vally you asked me whether that was on the list of our toxins.

MR VALLY: Right.

DR KNOBEL: Phencyclidine is not a toxin.

MR VALLY: Well let me ...(intervention)

DR KNOBEL: It is a psychotropic agent.

MR VALLY: Yes, fair enough.

DR KNOBEL: It could be used as an incapacitating agent. It could be ...(intervention)

MR VALLY: That's all I need to know.

DR KNOBEL: That's what I am trying to say.

MR VALLY: Is it part of the mandate of RRL to produce or Delta-G for that matter. Alright. ...(intervention)

DR ORR: Sorry may I interrupt, I don't see phencyclidine on Table 1 of Chemical Warfare agents unless it's called by a different name.

DR KNOBEL: But that's exactly the point I am trying to make Dr Orr. It would take a person with chemical background to look at the list of the accepted incapacitating agents that have been used or are potentially being used as chemical weapons.

DR ORR: Well could we perhaps ask Professor Folb to do that check for us.

DR KNOBEL: That is what I am trying to say, that is what you would need.

DR ORR: Peter could you look at Table 1 and see if phencyclidine is on that list.

MR VALLY: Professor Folb is not a witness, are you asking him just to do background checking for you and tell you and you can raise it and he'll advise you off the record. Thank you Dr Orr.

DR KNOBEL: May I just say Mr Vally, we listened yesterday to the testimony of General Neethling, and General Neethling indicated to you that any substance that is a psychotropic substance could be considered as a incapacitating agent and he thought, I think he expressed the opinion that phencyclidine in his opinion would be an excellent incapacitating agent.

MR VALLY: So your views echo his?

DR KNOBEL: Yes *per se*, but we are not looking at the face value of this particular document that you are ...(intervention)

MR VALLY: Well I will come back to the face value as well.

DR KNOBEL: Okay.

MR VALLY: So I need to go through that.

DR KNOBEL: Yes.

MR VALLY: Thallium, potent poison symptoms appear within 12 to 24 hours of a single dose; vomiting, diarrhoea, bleeding from the bowel, severe cases - delirium, convulsions, paralysis, coma leading to death in one or two days. Was this ...(intervention)

DR KNOBEL: I am not aware of whether it is on the list, whether it could be fitted into any of the chemicals on the list, personally my opinion would be that it would not be covered by the mandate.

MR VALLY: You are aware that Simpiwe Mthimkulu was poisoned with this?

DR KNOBEL: No I am not aware of that.

MR VALLY: Are you aware of the case of Simpiwe Mthimkulu?

DR KNOBEL: No I can't recall that at all.

MR VALLY: Are you aware of a case where a youth was allegedly poisoned in detention and it was thereafter, after forensic research by Professor Francis Ames, determined that thallium was the cause of the poisoning?

DR KNOBEL: When you say I am aware, I might have read about it, but I simply cannot recall it.

MR VALLY: Why I am registering surprise is I would have thought as, number one, the Surgeon-General or someone very close to him, and number two, someone looking into chemical and biological warfare that you would be very interested in any poisoning of this kind allegedly in police custody.

DR KNOBEL: I totally disagree with you Mr Vally. I had no idea that there was any possibility that this programme could be abused for that purpose.

MR VALLY: I see. Alright. Well let's go on. So regarding whether it was legitimate or not we will get some indication from checking the list.

DR KNOBEL: Yes.

MR VALLY: You know as one goes on, aldycarb, an insecticide which is highly toxic in animals and humans. Now as a doctor, even as a medical student if aldycarb and orange juice are together what would it mean to you? If they are mixed together like this states, six such mixtures comprising 200 milligrams each.

DR KNOBEL: That would make me very suspicious that the cold drink that you mentioned is being abused or used for illegal purposes.

MR VALLY: Possibly murder?

DR KNOBEL: I am not quite sure, I don't know aldycarb well enough but you've read to me what it causes there. If it's in a sufficient dose and it is a deadly substance then clearly murder.

MR VALLY: We've talked about paraoxane and you said it wasn't included in these ...(intervention)

DR KNOBEL: I didn't say that. I said it might be part of the broader group of organo-phosphates.

MR VALLY: I see.

DR KNOBEL: Yes.

MR VALLY: I see. Well paraoxane as we know is an organo-phosphate which is highly toxic. It causes respiratory paralysis, convulsions, diarrhoea and collapse of the heart. And the dosage that is here is likely to be fatal, it could be used for at least ten persons, the poisoning to death of at least ten persons, would you concede that?

DR KNOBEL: No I don't know what the deadly dose is, but if you say it is that and if that is substantiated scientifically then I would agree with you.

MR VALLY: Vitamin D, or Vit D3 as it's often referred to, ocilicalsipheral, now what is sinister about this is it's tasteless and difficult to detect in post mortem examinations. And it directly affects the heart, in fact poisons the heart. Are you aware of this?

DR KNOBEL: I wasn't aware of that, no. I certainly saw the document that you are referring to where it's discussed and I've already said to you, if I see something like that on a list like this and those are the characteristics that would be highly indicative of a possible abuse or planning to abuse.

MR VALLY: If we go down and we look at capsules of sodium cyanide, 20th of June 1989, 50. Again what would you understand by seeing such an item on this list?

DR KNOBEL: That is a poison.

MR VALLY: Deadly poison.

DR KNOBEL: Yes.

MR VALLY: And 50 capsules likely to kill at least 50 people.

DR KNOBEL: Yes. The same answer applies to that as I have just given you.

MR VALLY: That the motive would be sinister and possibly the intention would be murder somebody.

DR KNOBEL: That's correct.

MR VALLY: Botulism in the beer can, 21st of June 1989.

DR KNOBEL: I think the same applies to that.

MR VALLY: Sugar and salmonella.

DR KNOBEL: Yes that would also create some suspicion with me on the same basis.

MR VALLY: Now on the 27th of July 1989 one baboon foetus, what would a baboon foetus be doing on a list like this in a chemical biological warfare facility?

DR KNOBEL: I have no idea Mr Vally.

MR VALLY: You are aware, and this is the 27th of July 1989, that in August '89 a baboon foetus was hung in the garden of Archbishop Tutu at Bishopscourt in Cape Town?

DR KNOBEL: Yes I think I read about that.

MR VALLY: Did you make this link when you saw this, this list?

DR KNOBEL: Yes when did the incident actually occur?

MR VALLY: Apparently in August '89 and this date of delivery is 27th of July 1989.

DR KNOBEL: Yes, no I didn't make the link, I only saw the list in I think February '97, or after the trunks were discovered, and I didn't at that stage remember the exact date. But if the dates are as you are now giving them to me and they coincide as closely as this, then certainly I would have made such a link.

MR VALLY: There's reference to what's called "spore", spores and "letter" 9th of June '89. We understand that this was allegedly spores of anthrax put on the gum of an envelope.

DR KNOBEL: Where are you referring to now Mr Vally?

MR VALLY: I beg your pardon, it's the 21st - let me just get the exact - 9th of June '89. I've gone back a bit.

DR KNOBEL: Mr Vally I don't quite understand, on this list is written "spore en 'n brief".

MR VALLY: Ja.

DR KNOBEL: But you are now saying, you are giving some additional information.

MR VALLY: Well that is true, and the reason I am giving you this additional information is this is what we determined by the person who prepared these substances.

DR KNOBEL: I see. Well if I had that information that would be very indicative of what you are saying.

MR VALLY: But anthrax spores on their own ...(intervention)

DR KNOBEL: I don't think there's a problem with that.

MR VALLY: That wouldn't be a problem for you.

DR KNOBEL: No. If that list is made available to the Committee you will see that anthrax certainly is one of the organisms that is very definitely used, commonly used as a biological, or developed as a biological weapon, and Professor Folb can also verify that.

MR VALLY: How do you justify, in terms of your programme, anthrax which is resistance to antibiotics, the normal manner of treating it?

DR KNOBEL: Would you repeat the question, how do I justify?

MR VALLY: The production of antibiotic-resistant anthrax.

DR KNOBEL: I think the question is how do you justify any resistance within such an organism? That *per se* I would not have a difficulty with, because clearly anthrax that is, or any organism for that matter which is developed to develop a resistance against antibiotics is exactly what an enemy would try to do if he used a biological weapon. But you know resistance to antibiotics *per se* it doesn't say whether these are all known antibiotics or only the well-known ones that are normally used for this particular organism. I think that type of research would be acceptable.

MR VALLY: So it would be acceptable to try and find a biological substance which is resistant, to develop one which is resistant to normal treatment?

DR KNOBEL: Mr Vally you are not listening to what I am saying to you. I said to you given the nature of the conflict that existed and given the perceived threat that was in position at the time, I could find a reason for the scientist to say, we believe that this type of organism could possibly be used against South

Africa, not only against humans but against our plant life and also against our animal life in this country. And therefore we need to study this so that we can develop a method of dealing with it, either an anti-toxin or another antibiotic or whatever the case may be. That's what I am saying to you.

But I also conceded to you that given the face value of this, and the fact that it appears on such a list and there are quantities named and a price attached to it, that is highly suspicious of either abuse or planned abuse. I've said that.

MR VALLY: Fine. And the same thing would apply to the anthrax in the cigarettes?

DR KNOBEL: Yes certainly.

MR VALLY: And ...(inaudible) them in a peppermint chocolate?

DR KNOBEL: Correct.

MR VALLY: Now the quantity of cholera being prepared here or part of this "verkope lys" the sales list.

DR KNOBEL: Yes.

MR VALLY: Isn't that extremely sinister?

DR KNOBEL: You are saying ten bottles I think, is that right? And another six bottles ...(intervention)

MR VALLY: A total number is 32, I beg your pardon, 32 bottles of cholera.

DR KNOBEL: We have no idea of what the quantity ...(intervention)

MR VALLY: We do, we were told.

DR KNOBEL: No but I don't have any idea ...(intervention)

MR VALLY: Well fair enough ...(intervention)

DR KNOBEL: ...from what you are showing me here.

MR VALLY: If I put it to you ...(intervention)

DR KNOBEL: I thought this was also discussed yesterday in General Neethling's evidence, quantities. I would have to know, can I proceed - I would have to know what sort of quantities you require to do the type of research you need to do to develop defensive systems against it, before I would be able - and I would have to know what the quantities are in these bottles before I can make any kind of judgment of saying this is totally excessive and must have had a different reason why it was produced.

MR VALLY: You see what worries me in your explanations, you know you concede on the anthrax on the cigarettes; you concede possibly the typhus vidiodin, I assume you'll say the same thing that it's unacceptable, is that right?

DR KNOBEL: Yes Mr Vally. I've said to you that ...(intervention)

MR VALLY: Sorry if I could just finish.

DR KNOBEL: Ja.

MR VALLY: So I take it that you will concede all those items where it's mixed with everyday items ...(intervention)

DR KNOBEL: That's correct.

MR VALLY: But what I find puzzling is if there are 32 bottles of cholera on one list headed "verkope" then that would be very sinister.

DR KNOBEL: No Mr Vally you are not saying what I said I am sorry.

MR VALLY: No I'm saying that.

DR KNOBEL: No I know, but you are turning my words around.

MR VALLY: Right.

DR KNOBEL: I've said to you, given this entire list as it stands there, appearing on such a list as a "verkope lys", the entire document is highly suspicious of possible abuse or planning to abuse. That's what I am saying. But you are asking me, would it concern me if cholera *per se* is studied, and I said no, it would not. And I said to you when you started talking about the quantities here I don't have the information about the quantities and I don't know what quantities are required in order to do the type of research. I've said to you already on this particular list that would be highly suspicious. What more do you want me to say?

MR VALLY: Well I would like to know a very simple thing. If the purpose for developing these cultures and manufacturing these chemical poisons was in order to prepare yourselves of the country or the Defence Force for attack, chemical biological attack, can you tell us what defensive systems you prepared, for example against anti - anthrax resistant to antibiotics?

DR KNOBEL: Mr Vally I really have a difficulty in the way you are putting the question ...(intervention)

MR VALLY: Well let me rephrase it then ...(intervention)

DR KNOBEL: No let me just finish this please. You are not allowing me to say what I want to say. The classical biological weapons includes anthrax. If our scientists studied anthrax in great detail with regards to its toxicity and its transmissibility, contagiousness, all that sort of thing, its lethal doses and everything and they then determined what do we require to protect our troops against anthrax. Then I would have no difficulty with that whatsoever. But in the context of where it is on this list here I agree with you, this is highly suggestive of a planned abuse or an abuse.

ADV POTGIETER: No but General is there - General ...(intervention)

DR KNOBEL: I am listening, sorry.

ADV POTGIETER: Is there any other reasonable explanation?

DR KNOBEL: But I have been agreeing with you about this.

ADV POTGIETER: No, no, no, no you are not agreeing with the proposition, you are going half the way. Is there any other reasonable conclusion that one can draw from this combination of deadly, potentially deadly substances on all day items ...(intervention)

DR KNOBEL: No you are right. You are correct.

ADV POTGIETER: Is there any other explanation than that these things are murder weapons?

DR KNOBEL: Yes I hear what you are saying and I was concerned when I saw it and that was the conclusion that I came to as well.

ADV POTGIETER: Thank you.

DR KNOBEL: But I do want to make this point, that anthrax as an organism *per se* was part of the legitimate programme. I will have no problem with that. Thank you.

CHAIRPERSON: I think that point has been made by you and I think we are noting it.

DR KNOBEL: We agree about this.

CHAIRPERSON: But I think we are going further and we are saying, it is quite clear, and you lay the basis for your understanding of the position to be that, there were things that were kept away from you because you only came to learn of them in 1997.

DR KNOBEL: That's correct.

CHAIRPERSON: It is quite clear that the suggestions as are in TRC document 52 are quite clearly that what was being created here, and as you put it, is suggestive of either an abuse or an intended abuse.

DR KNOBEL: Correct.

CHAIRPERSON: In fact one of the scientists who was involved in this programme called it "murder weapons". They didn't hesitate to put it in that sort of fashion. You may not agree but at least the highest we can come to it raises my concerns that there are ...(intervention)

DR KNOBEL: I understand.

CHAIRPERSON: Mr Vally.

MR VALLY: Thank you. If we agree that these are all potentially or most of them are potentially murder weapons, and if we see, because this list is headed "verkope", "sales", and the date is 19th of March 1989 to the 21st of October '89, and the dates have the heading "delivery date", so we are seeing items,

deadly murder weapons, being delivered from mid-March '89 to almost to the end of October '89

DR KNOBEL: That's correct.

MR VALLY: And when you discovered this list in February '97.

DR KNOBEL: Yes.

MR VALLY: Were you shocked?

DR KNOBEL: Of course I was.

MR VALLY: As Surgeon-General?

DR KNOBEL: Yes I was.

MR VALLY: And as someone who was ultimately responsible for Operation Jotta under which RRL fell.

DR KNOBEL: Yes that's true, yes I was.

MR VALLY: So what did you do, firstly to discover if there were any other deliveries of such poisons, did you make any such enquiries?

DR KNOBEL: Yes I did.

MR VALLY: From whom?

DR KNOBEL: From Dr Basson.

MR VALLY: And what was your response?

DR KNOBEL: Who denied that it was outside the programme.

MR VALLY: So he said that acid in whisky and ...(intervention)

DR KNOBEL: Let me just correct that ...(intervention)

MR VALLY: ...anthrax on cigarettes were within the programme?

DR KNOBEL: Let me just correct that. What I said now was not true. I had not seen Dr Basson since this document was put to me to examine. I had not had any contact with Dr Basson whatsoever, so I couldn't ask him that particular question. But I did, at an earlier date when there was a suggestion, may I refer to the Project Cloud document?

MR VALLY: If you indicate to - I think they've said it was fine. I believe Advocate Arendse said he got the go-ahead you could use it.

DR KNOBEL: Yes.

CHAIRPERSON: Can we have the basis for having to refer to a document. What is the - I think General Knobel was just about to say when something happened. If you could just let us have that we may not even want to talk to that document.

DR KNOBEL: Yes Mr Chairman I think we can deal with it like that.

CHAIRPERSON: If you can just relate the incident which gave rise, as I understand you are wanting to say, gave rise to your having some queries, there were suggestions that were made.

DR KNOBEL: Correct.

CHAIRPERSON: If you could just give us the factual ...(intervention)

DR KNOBEL: There were certain queries. I will try and deal with it ...(intervention)

MS SOOKA: Sorry General, can I just ask a question. I am just a little confused because you said in response to Mr Vally's question that you asked Mr Basson and then a few minutes later you said you had not seen ...(intervention)

DR KNOBEL: That's correct.

MS SOOKA: ...Mr Basson. If you could just clear that.

DR KNOBEL: Yes but I didn't realise this date, you know this was the document that I had seen in '97. I would like to explain it to you, and this is why I am trying to refer to that other document.

In September 1994 I gave a full briefing to the National Intelligence Agency with regard to the programme having been given that permission by the Minister of Defence. From that date onwards we started working together on an investigation into the programme and the role of Dr Basson in it. Then after that the demarche occurred. You know what I am referring to. The document that the two countries involved put on the table contained allegations. We discussed it with National Intelligence. National Intelligence gave a briefing to the Minister and myself and in that briefing I became convinced that there were certain things taking place that I was not aware of. I wrote a comment on the American document which is one of the documents in your bundle here and which you have in front of you, and I made that comment to President de Klerk.

But I also confronted Basson at that stage. You must understand Basson was not in our service any longer. He was already on pension, but he was still helping us with clarifying certain of the final elements in the Croatia, maybe the Croatia thing I should also not mention, but there were some funds that had to be recovered from Croatia and he was still helping us to do that.

And in any case after we spoke to the President about his free moving the President approved that we could take him into our service again, so I had access to him and I could speak to him about it. Clearly that was when I began to warn, not only President de Klerk but later on President Mandela, about these abuses.

Now I am saying again, I confronted him, he assured me that all the work that had been done was within the mandate of the programme and that there was no truth in any allegation that they had abused it. Then I see this document and I admitted to you that I was shocked when I saw it in '97 and we discussed it with National Intelligence at the time and Colonel Steyn and I classified the documents and that classification is available in the document Project Cloud where you can have a look at it where both Colonel Steyn and I queried all of these items as possible abuses.

CHAIRPERSON: Now without getting into details I just want to be able to be happy that I understand what you are saying. Are you saying between a date in 1994 and 1997, the latter date being the date on which you saw this document for the first time, TRC52, there were developments based on intelligence that was gathered ...(intervention)

DR KNOBEL: Correct.

CHAIRPERSON: Either from this country or from other countries, or from all of these.

DR KNOBEL: That's correct.

CHAIRPERSON: The nature of which gave rise to your feeling uncomfortable about the direction which the programme had taken under Dr Basson.

DR KNOBEL: Absolutely.

CHAIRPERSON: And it was of a nature that caused you to want to confront him.

DR KNOBEL: Yes.

CHAIRPERSON: Because you felt that it had gone, that is you personally ...(intervention)

DR KNOBEL: That's correct.

CHAIRPERSON: Felt on the intelligence that you had gathered it had gone beyond the mandate.

DR KNOBEL: That's correct.

CHAIRPERSON: You confronted him with your considered opinion that it had exceeded the mandate. His attitude was that it had not.

DR KNOBEL: Yes.

CHAIRPERSON: It was one of reassurance.

DR KNOBEL: Yes.

CHAIRPERSON: But the position was then made worse when you were confronted with these documents because far from reassuring you it in fact confirmed your earlier discomfort.

DR KNOBEL: Correct.

CHAIRPERSON: Mrs Sooka.

MS SOOKA: I just am a little surprised that given the events that took place that you still relied on Dr Basson's reassurance that he had not exceeded his mandate, because surely the events that gave rise to your confrontation should have actually put you in a position to question the validity of what he was telling you?

DR KNOBEL: Ms Sooka can I take you back to the decision by Mr de Klerk to put Dr Basson on early pension.

MS SOOKA: Exactly.

DR KNOBEL: Yes. That decision was based on the Steyn report.

MS SOOKA: Yes.

DR KNOBEL: The Steyn report was never brought to my attention. We never had insight into that report. As a matter of fact even today I don't know if there was such a written report or not. What we have in your document is a staff paper which General Steyn used in preparing his report, as far as I gathered.

MS SOOKA: No, no ...(intervention)

DR KNOBEL: No let me please ...(intervention)

MS SOOKA: Sorry just before you carry on.

DR KNOBEL: Yes.

MS SOOKA: And I may not repeat it word for word, but the sense of the evidence you gave is that in terms of Intelligence reports furnished to you.

DR KNOBEL: Correct.

MS SOOKA: That was the basis for your confrontation with him. Now it is true that based on the Steyn report he was relieved of his duties, but you are now beyond that point. He is helping you to, in fact you take him back on to close up certain projects. Now you go to the very man about whom there is a question mark and you ask him certain questions. Based on his answers you are reassured, and the only time you become suspicious is when you are confronted with this other document. Now can you explain to me how a man like yourself, I mean I would expect of you that in your position you would be highly suspicious about irregular activity, you have some example of that, you question him and he assures you he has not exceeded the mandate, and you accept that. I find that very difficult.

DR KNOBEL: Well I trying to give you more background so that you can understand better what my feelings were.

After the dismissal or the early pensioning of Dr Basson I became concerned. I was seeing yellow and red lights and the lights were not only about criminal activities with regard to these substances but also with regard to fraudulent activities. I was involved in the Office of Serious Economic Offences investigation as from the beginning of '93. And I have been cooperating with them very closely, but I was alarmed at the fact that they were certain that there were fraudulent activities.

The Minister of Defence, Mr Coetzee, who had just become Minister was then briefed about the programme and we discussed these alarms that we had. I insisted that he allow me to make direct contact with National Intelligence which he approved and we met on the 24th of September '94. One of the reasons I did that was to make Dr Basson or to persuade Dr Basson to make himself available to National Intelligence for cooperation with them and this can be verified by National Intelligence, by Mr Kennedy. After they had access to him and had long discussions with him they gave a briefing to myself and Minister Coetzee. I then drew up my comment which indicated clearly, and you've got the document on your files, and my words are "it has become evident that there are more than one channel of command", because I knew that I hadn't given any of these commands or had approved any of this, and I realised that either it was at his own initiative or he had been receiving orders from somebody else.

Now you may criticise me for not realising it earlier but I want to just add one additional point. Even in the briefing that we had from National Intelligence Minister Coetzee and myself, it was pointed out to us that there were several persons with the name of Basson and that it might have been some of the other Bassons. There are in fact four Bassons, at that stage, if I remember correctly, that could possibly - it is true, that is a fact. However, I was then very concerned and I made my concern known to Mr de Klerk and I made my concern known later on also to Mr Mandela.

CHAIRPERSON: I think the accusation here, if I may be bold to say it, is that there seems to have been a fairly non-urgent approach to this thing. I mean if your intelligence was of such a nature that suggested that here was a person at that level who was either abusing or potentially abusing an otherwise legitimate programme, and we are talking here national security.

DR KNOBEL: Yes.

CHAIRPERSON: Your approach was very cavalier. I mean for any structure at your level, and I say nothing about National Intelligence Service, to refrain

from taking appropriate action on the basis that there are four Bassons is very, very, - I mean it hasn't taken any length of time for an invigorating approach to isolate which Basson is which Basson. And that's why we are here. I think that is the accusation. There is a sense in which you know there was this sort-of all boys club approach to a matter that, as it stands now, and I don't know what your intelligence was before 1997, but if it was given the sort of red lights that the evidence has shown, even about fraud, for prevarication to be made as to whether this is this Basson, or this Basson or that other Basson and for a consequence to arise where Wouter Basson is dismissed, reemployed, and we find the situation where you do not know whether he is there or he is not there. I think that is the accusation.

DR KNOBEL: Well I would like to defend that Mr Chairman. The position with regards to the Steyn report, all that happened after the so-called Steyn report was given to the State President is that I was informed that Dr Basson had to be put on early pension. I was absolutely astounded because he was very much involved in the finalisation of the project and the final privatisation process of the two companies. It was extremely difficult to deal with that process without his help.

I therefore immediately asked for an interview with the Minister of Defence, which at that time was Mr Louw. I went to see him and I said could I please be informed what is the reason for his being dismissed. He tried to get me an appointment with the State President. He spoke to him personally in his office, and he said I have General Knobel standing here, he would like to have an interview with you and find out what it's all about. The State President refused to see me. I tried it for a second time.

I then went to see General Liebenberg, who was the Chief of the Defence Force, who was on holiday. I was actually at that stage the acting Chief of the Defence Force, and I had to deal with the administrative process of putting all those members that were dismissed or put on pension, I had to deal with that administrative process. I went to see General Liebenberg at his holiday home, and I said what is the problem with Basson? His reply to me was, don't worry it's being investigated by the D'Oliveira Commission.

CHAIRPERSON: He didn't tell you, I am sure, about the "speelgoed wat hy wil terug..." which he wanted to have back?

DR KNOBEL: Not at that stage, no, no, no, no Mr Chairman, that came a lot later. That came when Jan Lourens came to see me. That was a lot later I am sorry.

But anyway the fact of the matter is I was then satisfied that it was being investigated. That is what my orders were, **it is being investigated**. I was, however, not satisfied. I then informed Mr Louw about the programme and later on, because we were changing over from one Minister to the other very rapidly, then Mr Coetzee very shortly afterwards in April, and I've already explained to you that in September when I met up with National Intelligence, having urged Mr Coetzee to allow me to link up with National Intelligence, I then discussed it with National Intelligence and then began to find the evidence or the indications that I was concerned about.

I agree with you, looking back now, it may seem to you as if it was a - you said a very lackadaisical approach, but I tell you the fact of the matter was there was some doubt as to the identity of Basson and the other Bassons. That doubt was confirmed by National Intelligence as late as the next year in February.

CHAIRPERSON: Mrs Sooka.

MS SOOKA: You, sometime as you related it, you talked about the fact that it was quite clear that there was another chain of command. Now in your confrontation with him did you ask him that question?

DR KNOBEL: Ms Sooka the fact that there was another chain of command was well-known for quite a long time. The position of Dr Basson was the following. He was, first of all, a physician that was being utilised by not only our own Minister but also other members of Cabinet. He was constantly being called over to see them as patients. Whenever I enquired about it he said I am sorry it's confidential, it's a patient/doctor relationship situation.

The second thing that happened was I was informed that he was being made available as a consultant to a whole number of our fellow departments. I learnt about it, not when I was Surgeon-General, before I was Surgeon-General, as Deputy Chief of Staff Operations. I discussed it with General Geldenhuys and I said is this right that this man is made available as a consultant without the knowledge of the Surgeon-General, which was General Nieuwoudt at the time. I was then informed that it has nothing to do with me because I am not in that position. Two months later I was appointed as Surgeon-General and I had an interview with General Geldenhuys and I said I now want to inform you that I have a problem with a member under my command being utilised by other departments without my knowing what it's about. I was then informed not to interfere in that and to leave it alone.

That was the situation that existed at the time.

MS SOOKA: So although he was in your unit and technically responsible to you ...(intervention)

DR KNOBEL: Correct.

MS SOOKA: ...and the Coordinating Committee for this particular project and for the chemical biological warfare programme, it became apparent to you that he didn't report to you directly, and in fact when you canvassed that you were instructed by General Liebenberg to leave it alone.

DR KNOBEL: No, by General Geldenhuys.

MS SOOKA: By General Geldenhuys.

DR KNOBEL: That's correct.

MS SOOKA: I see.

DR KNOBEL: That's correct.

CHAIRPERSON: Can I just ask, just following from what you are saying, when you understood that he had also a doctor/patient relationship did you come to know that he was, as the newspapers have been saying, former President P W Botha's personal physician?

DR KNOBEL: No Mr Chairman I can't confirm that.

CHAIRPERSON: Or is that ...(intervention)

DR KNOBEL: I think he may have seen Mr Botha on occasion, but to say that he was his personal physician I don't think that is correct.

CHAIRPERSON: Now did you get to know that he was seeing him?

DR KNOBEL: Oh yes I am aware of the fact that he saw him from time-to-time.

CHAIRPERSON: Did it - when you now formulated the conclusion because at some stage you say you formulated a conclusion the essence of which was that you are now more than satisfied that there is more than one line of command.

DR KNOBEL: Correct.

CHAIRPERSON: Was it your impression that it may well be that these programmes that had given rise to your concerns as having been exceeding the mandate of what the programme should be may well have been authored by Dr Basson at the express instruction of, among others, PW Botha?

DR KNOBEL: No I can't confirm that, I am sorry.

CHAIRPERSON: No, no I am asking, I am not saying can you confirm it. I am asking if when you formulated that conclusion it is clear to me that there are more than - did you have, amongst others Cabinet Ministers, let me put it that way, that he may have been acting on the instructions of Cabinet Ministers or the President whom he was seeing, on his own evidence as a physician but who

he failed to disclose the content and the basis of his meeting them except only to say patient/doctor relationship?

DR KNOBEL: Mr Chairman this is a very difficult question but to answer you quite honestly what I thought might have happened was one of two things. Either that he had, on his own initiative had carried out certain things which he was not informing me about, or ...(intervention)

CHAIRPERSON: Which could not have led you to conclude that there were two, more than one line of command.

DR KNOBEL: No, no, no, it would lead me to that conclusion. There could be a second channel of command which started with him.

CHAIRPERSON: I see.

DR KNOBEL: But you have already questioned me about the position of 7 Medical Battalion Group and he as the Commanding Officer of 7 Medical Battalion Group and you know that at that stage he was allocated with his Battalion Group to provide medical support to Special Forces and to Parabats and to other police service units, which was another possibility that I certainly contemplated could have been used. But I was not so bold as to conclude immediately that he was getting information or getting instructions from Cabinet Ministers. In fact ...(intervention)

CHAIRPERSON: Do you think that he might have been getting instructions from General Kat Liebenberg in his capacity as head of Special Forces?

DR KNOBEL: Well you made the mention about the toys earlier on and I said to you that came later, and maybe I can confirm at this stage, we haven't got to the evidence that was led by Dr Jan Lourens, but I can confirm what he gave you in his evidence here; that he came to see me in my office and discussed with me the problem that he had with the **gadgets**, is the best word I can find, that he had made. And I enquired of him whether he knew where the instructions for those **gadgets** came from. And he said, I in fact said to him, I think you should discuss it with the Chief of the Defence Force, and he said but that is my problem because I was asked by him while he was commanding general of Special Forces, "what are you doing with my toys", or "please look carefully after my toys". I then confirmed with him that did he know that those instructions did not come from me and he said, yes, he knew. And I think that was basically what he gave in his evidence here.

CHAIRPERSON: Mr Vally.

MR VALLY: Dr Knobel, sorry General Knobel, according to the evidence we received Dr Jan Lourens came to you early in 1993 complaining to you that he

believed that the project had gone wrong somewhere. He was asked to make screwdrivers which injected poisons and walking sticks which shot poison pellets. According to his evidence he came to you early in 1993. ... (intervention)

DR ORR: I am sorry Mr Vally before - I assume you are moving off the "verkope lys" now, or are you still on it?

MR VALLY: Well I don't mind if you...

DR ORR: I'd just like to place on the record that in fact phencyclidine is not on Table 1 of Chemical Warfare agents and neither are any other psychotropic agents and I think our interchange over this substance highlights for me one of my deepest concerns. I didn't know whether phencyclidine was on the list, you didn't, we had to call in an expert, but on your Coordinating Committee there were no such experts, and you were taking decisions about substances which to me it seems you were not fully informed about.

DR KNOBEL: No I am sorry Dr Orr you are not correct. There was such an expert on the Coordinating Committee and that expert was Dr Basson.

DR ORR: I think it has been proven that reliance on such an expert eventually led to severe problems.

DR KNOBEL: Dr Orr at the time there was no concern about the reliance on him. It is only now, with the wisdom of hindsight, that you can come to that conclusion. He was a - he had a master's degree in chemistry and all the members of the Coordinating Committee, including those that are now outside the Defence Force and in political positions have confirmed that up to quite recently.

DR ORR: If you were setting up such a coordinating committee now, with hindsight, would you not think it advisable to have additional independent people who could advise you about these issues, rather than relying on a single person?

DR KNOBEL: I find it difficult that you cannot understand ... (intervention)

DR ORR: I do understand.

DR KNOBEL: No, that you cannot understand that a person in a commanding officer's position, if he has an expert available, and he relies on him and the rest of the Committee relies on him, that that is sufficient. Are you saying that I should have been an expert myself to be able to make that decision?

DR ORR: No I am not saying you should have been an expert yourself. My concern, and this goes to the fact that the Truth Commission has to make recommendations as to how to prevent future violations and abuses, is how

could we structure coordinating, managing, controlling bodies in order to ensure that this kind of thing does not happen again? If my suggestion is invalid or impractical I would appreciate your suggestions about this.

DR KNOBEL: Now you are asking me a question as how would I reconstruct such a committee today. I would probably go and approach somebody like Professor Peter Folb to serve on such a committee as my project officer and I would rely totally and completely on the integrity of a man like Professor Folb.

CHAIRPERSON: And if he turned out to be a Dr Wouter Basson down the line, that is on the assumption that all the allegations about Dr Basson are true ... (intervention)

DR KNOBEL: Yes, yes.

CHAIRPERSON: I am not making a judgment.

DR KNOBEL: Yes.

CHAIRPERSON: I think the question that is being asked here, isn't it safer to have a committee rather than a single consultant?

DR KNOBEL: No indeed I don't think so Mr Chairman. My feeling is that a committee - if you are saying a specialist committee which advises the coordinating committee then I would go along with you. It would have been safer with the wisdom of hindsight to have several experts.

But that is in fact what started happening at a later stage. Out of the programme came a number of experts and those experts, which are few and far between, that have sufficient knowledge about the field of chemical and biological weapons, have been very quickly taken away from us. I am talking about Dr Brian Davey, I am talking about Dr Philip Coleman; I am talking about Colonel Ben Steyn who was here with us. They are the sort of people who are immediately picked to support the OPCW in the Hague; to begin to work in a private company like Protechnic and to serve on the Chemical Weapons Committee for South Africa in support of Foreign Affairs. We've developed such experts.

But the problem is, Mr Chairman, in South Africa you simply don't get an expert that is an expert on chemical and biological weapons. Professor Folb can confirm this to me. If I were to select a committee today in South Africa there simply aren't such people that have that kind of knowledge and insight and understanding.

Dr Orr made mention that she doesn't find phencyclidine on this list ... (intervention)

DR ORR: No Professor Folb did not find phencyclidine.

DR KNOBEL: Right, but I accept that fully. But we'd also heard the evidence of General Neethling yesterday that phencyclidine would be an ideal substance to investigate as a possible incapacitating agent. Remember this list is not the ultimate list. In the Convention at the present time our representative, namely Colonel Steyn, sits on an organisation in the Hague called the Friend of the Chair and one of their functions is to advise the OPCW on revisions of this list, and this will depend on what new technology. Did Iraq, for example, develop any substances outside this list which should now be included in the future.

CHAIRPERSON: Mrs Sooka.

MS SOOKA: You see all - what really troubles me about this issue is that it seems to me that even if you asked him the question as to whether or not he exceeded his mandate, technically there was no way of you really knowing that because he was the expert and that then I think covers why everybody else still keeps on employing him, because even now he seems to be one of the few experts.

DR KNOBEL: Yes....

MS SOOKA: Would you agree that technically you had no way of determining ...(intervention)

DR KNOBEL: That's correct.

MS SOOKA: ...whether or not he exceeded his mandate?

DR KNOBEL: No, it's not absolutely true. Technically you are correct when you say I couldn't determine technically. Who do I consult about this? I could certainly consider consulting some of the international experts and we did. We did have discussions with the international experts. But what I did do was to refer this to National Intelligence and to help them and said to them would you please question this man and find out. And maybe you should get the evidence of what happened when they questioned him.

MS SOOKA: No, no, but what I was trying to establish that you're within the parameters of this particular programme because there was so much reliance placed on him ...(intervention)

DR KNOBEL: That's true.

MS SOOKA: This chemical expert. But even when you questioned him about excesses in terms of this programme you had no way of establishing, except for his word, as to whether or not he had exceeded that.

DR KNOBEL: That's correct.

MS SOOKA: Thank you.

CHAIRPERSON: Mr Vally.

MR VALLY: General Knobel I find it very strange that you say you only got concerned for the very first time in 1994 and then really realised things had gone badly wrong in 1997 when you saw this "verkope lys". I'll tell you why I find this strange.

Dr Koekemoer came to see you late eighties, early nineties, I can give you the date, wondering about the production of ecstasy ...(intervention)

DR KNOBEL: No he didn't come and see me, I am sorry. I have never seen Dr Koekemoer.

MR VALLY: I beg your pardon, he went to see General Neethling. I am so sorry.

Well Dr van Rensburg came to see you in the late eighties complaining about scientific and managerial irregularities at RRL. Dr Lourens came to see you early in 1993 saying that some aspects of the programme were going wrong. He told you about screwdrivers which were used to inject poison into people. He told you about walking sticks which were being used to shoot poisoned pellets into people. He probably in fact told you about his trip he made to Britain to deliver ...(intervention)

DR KNOBEL: Mr Vally would you please just start again because you are going too fast.

MR VALLY: Sure.

DR KNOBEL: What did you say about Dr van Rensburg.

MR VALLY: Alright let me put it in context.

DR KNOBEL: No, but I want to know what you said about Dr van Rensburg.

MR VALLY: Fine. I will give you all the people who I believe approached you who give evidence ...(intervention)

DR KNOBEL: Who gave evidence to that effect.

MR VALLY: In terms of evidence presented to this hearing, because the context is, you said in 1994, after the demarche by the Americans and the British, that you got concerned.

DR KNOBEL: That's correct.

MR VALLY: And by the way, and I don't think this is proliferation, but that demarche wasn't to say this is a terrible immoral thing you people are doing, this demarche was to say hey, make sure that the ANC don't get their hands on these items.

DR KNOBEL: That's correct, that's exactly the information I gave Mr Mandela.

MR VALLY: Fine.

CHAIRPERSON: Of course then the ANC got into power....

MR VALLY: I am telling you that before 1994 there were queries which set alarm bells ringing.

DR KNOBEL: Could you just please repeat them again because I want to verify that.

MR VALLY: Certainly, I'll go slowly.

Dr van Rensburg late eighties, he talked about the incompetence of the operation at RRL. He talked about scientific and managerial irregularities.

DR KNOBEL: Mr Vally let me reply to that. I confirm to you that I saw Dr van Rensburg only once and that was in '92 when he came to see me in my office to complain about the privatisation process. By that time the company was already privatised. I had no control over the company. I listened to him. That is the evidence that he gave you here the other day. That he insisted, he says that he insisted that I should not have agents of the CCB here. I confirm to you now that I had no idea who the agents of the CCB was, and the fact that Dr Basson and Dr Swanepoel was present there was based on the fact that I had no jurisdiction over that company at that stage, and I thought I could possibly solve his problem.

MR VALLY: I'll come back to that. I will come back to your jurisdiction at the time.

DR KNOBEL: But the point I am trying to make now is I did not see Dr van Rensburg at the time when you said that I had seen him.

MR VALLY: When did you see him?

DR KNOBEL: In 1992.

MR VALLY: '92, that's still before '94. Did he complain of scientific irregularities?

DR KNOBEL: He did not.

MR VALLY: He did not you say.

DR KNOBEL: He complained only about the fact that he was unhappy with the privatisation process and the unfair sharing of the profits of the companies.

MR VALLY: I see. And Dr Lourens, Dr Jan Lourens who came to tell you about the screwdrivers?

DR KNOBEL: I confirmed to you just now that I did see Dr Jan Lourens at the request of Mr Meyer, as he testified here. That was in '93.

MR VALLY: Yes.

DR KNOBEL: And he came to see me in my office and that was where the discussion took place about the instruments that he had produced.

MR VALLY: Right.

DR KNOBEL: Yes.

MR VALLY: And did he tell you that Dr Wouter Basson had instructed him to produce these items?

DR KNOBEL: Yes he did, and he also confirmed that Doctor ...(intervention)

MR VALLY: Surely this is more disturbing than the demarche?

DR KNOBEL: Mr Vally there was no indication at that time that it had anything to do with the programme. I had also, at that stage - look you may think that this is not reasonable to say so, but I was totally convinced that it had nothing to do with the programme.

MR VALLY: The reason that I find it improbable is he was making instruments in which to put poison. That is his evidence. And he was told ...(intervention)

DR KNOBEL: Mr Vally ...(intervention)

MR VALLY: No let me finish. He was told to do so by Brigadier Basson, who was your project officer in charge of the institution.

DR KNOBEL: The project did not have a mandate to make poisons Mr Vally.

MR VALLY: Let's phrase it in another way. It had to develop possible biological warfare cultures, which included poisons.

DR KNOBEL: But Mr Vally if you question Dr Jan Lourens he would confirm to you that we didn't even discuss the type of poisons or substances.

MR VALLY: No, no, but the point is you are in charge of a programme which you know is involved in chemical and biological warfare. You know that Brigadier Basson is the project officer. You are referred - you have a Dr Jan Lourens, who is involved in one of the front companies being referred to you by the Minister of Defence himself ...(intervention)

DR KNOBEL: No Dr Jan Lourens was not in one of the front companies, he was in Protechnic.

MR VALLY: I thought Protechnic was a front company.

DR KNOBEL: No it was not, it was a private company.

MR VALLY: I would like to come back to that, but I certainly heard him say it was a front company.

DR KNOBEL: I thought his evidence said it was a private company.

MR VALLY: Oh no. And I will show you documentation as well which sets out that Protechnic was a front company. But we'll come back to that. Or maybe I should show it to you quickly and get it out of the way. TRC14, a letter from Lieutenant General C P van der Westhuizen regarding Project Jotta, dated 25 March 1992. I will read you the first paragraph.

"Project Jotta is a project managed by the Surgeon-General with Brigadier Wouter Basson as project officer. The purpose of the project is to provide the South African Defence Force the offensive and defensive capabilities in biological and chemical warfare".

Now you can turn to page 2, page 2 ...(intervention)

DR KNOBEL: I am still looking for the ...(intervention)

MR VALLY: Oh I beg your pardon. Has your attorney also not got a set?

DR KNOBEL: It's TRC14?

MR VALLY: 1-4.

DR KNOBEL: That's the document that you also confronted General Neethling with.

MR VALLY: Yes.

DR KNOBEL: And that was the document where General Neethling made it clear to you what he thought of this counter-intelligence document.

MR VALLY: That is General Neethling's answer.

DR KNOBEL: Yes.

MR VALLY: I am now busy with asking you this question.

DR KNOBEL: I am giving you exactly the same answer.

MR VALLY: Oh no. I think you must first look at the document.

DR KNOBEL: No I've got the document ...(intervention)

CHAIRPERSON: Not with the same enthusiasm but ...(intervention)

DR KNOBEL:and I studied it. I've studied it Mr Vally, and let me just make it clear to you that a counter-intelligence report like this is done by field workers that are searching out what they can discover about a particular programme and about individuals around it and so on. This is an opinion. This is not confirmed evidence.

MR VALLY: I will show you other documents about Protechnic which shows it's a front company. But I want to point one thing out to you on this document. Turn to the last page Sir. The very last page, it's signed by C P van der Westhuizen, Head of Staff, Information, Lieutenant General; and underneath is "Distr", which I assume is "Distribution", for action HSAW, which I assume is Head South African Defence Force ...(intervention)

DR KNOBEL: That's the Chief of the Defence Force.

MR VALLY: Chief of the Defence Force, I beg your pardon. And below that number two, copy no.2 - "For the information Surgeon-General. Exclusive".

DR KNOBEL: That's correct.

MR VALLY: Did you get a copy of this?

DR KNOBEL: I am sorry I can't hear.

MR VALLY: Did you get a copy of this?

DR KNOBEL: Of course I did.

MR VALLY: Now are you telling me that you got a copy of this which says Protechnic is a front company and it was disinformation?

DR KNOBEL: Mr Vally I am saying to you that there are a number of issues on this document which is not correct. When General van der Westhuizen sent me this copy I discussed it with him. He was a member of the Coordinating Management Committee, and I said to him, this information, first of all about General Lothar Neethling is incorrect, and I've marked it on this copy here. He was not informed about the project as he also testified here yesterday.

MR VALLY: Fine.

DR KNOBEL: And furthermore the information given here about extra-marital relations, as far as I could establish, was also not correct. And the details about the Coast Project is also not correct.

MR VALLY: And you say Protechnic was not a front company?

DR KNOBEL: No, and I stand by that. And as you will see in the little brochure that was published on the 10th anniversary of Protechnic I also make that statement, that it was a private company.

MR VALLY: Well yes I am coming back to that brochure because we found it very surprising that you put your name to the foreword there, because the very person who started off with Protechnic, Dr Jan Lourens, he told us it was a front company. He made it clear to us it was a front company.

DR KNOBEL: Mr Vally the information I had at my disposal was that Jan Lourens started a company called SRD, if I remember correctly.

MR VALLY: SRD, yes.

DR KNOBEL: He then sold it to Charles van Remoortere, which was a private concern. Now Charles van Remoortere was the man who came from Belgium to buy it. And I think you've had evidence from him as well. But...

MR VALLY: Please go on, I am listening to you.

DR KNOBEL: I just can't see what exactly is the concern about the private company. I understood it to be a private company and that's what I'm testifying.

MR VALLY: Alright, fine. Well let us go on. I am putting to you that before the demarche you were approached by Dr Jan Lourens who told you that he was being asked to manufacture, by Dr Wouter Basson, applicators, screwdrivers, walking sticks etc to inject poison into people. Were you concerned by this?

DR KNOBEL: Of course I was.

MR VALLY: Did you do anything about it?

DR KNOBEL: Yes I did.

MR VALLY: Can you tell us what you did?

DR KNOBEL: I reported at the Coordinating Management Committee about the incident where General Liebenberg was present and he said he doesn't believe it, and I was happy that the Coordinating Management Committee shared my feelings.

However, as I explained to you the events that led up to the demarche gave me additional evidence and that is where I got to the point where I said now it has become evident to me that there has been irregularities.

MR VALLY: Well let's go on, let's go on. From what you say the Coordinating Committee was aware of the fact that there were these screwdrivers and walking sticks being made to inject poison into people, on an individual basis. You made them aware?

DR KNOBEL: Yes I made them aware. I made them aware of ...(intervention)

MR VALLY: And they said they did not believe it.

DR KNOBEL: I made them aware of the fact that I had been informed by Dr Jan Lourens ...(intervention)

MR VALLY: Right.

DR KNOBEL: ...about this fact.

MR VALLY: Right. And you heard Dr Lourens' evidence that when he went to talk to General Kat Liebenberg about it, the response of General Kat Liebenberg, who was head of the South African Army at the time, was "ek soek my speelgoed terug". I want my toys back.

DR KNOBEL: Yes that was remark to Dr Jan Lourens.

MR VALLY: That's correct.

DR KNOBEL: And that is what Dr Jan Lourens told me.

MR VALLY: That's correct.

DR KNOBEL: What did you expect me to do now? To confront ...(intervention)

MR VALLY: Right, now the point I am making is clearly General Liebenberg was aware that there were individual instruments of death.

MR VALLY: That's correct.

MR VALLY: Nothing to do with the chemical offensive or defensive capability, just murder instruments. And General Liebenberg, what was his role

in this Coordinating Committee, because his name appears on the top of every document of meetings, minutes of meetings, was he the Chair?

DR KNOBEL: Say again, I am sorry.

MR VALLY: I am sorry. Of the Coordinating Committee was General Liebenberg the Chairperson?

DR KNOBEL: At a certain stage, yes.

MR VALLY: So am I to assume that the Coordinating Committee was, at very least, aware of individual instruments of death, injecting poisons into people, that they were aware that this was happening through military front companies?

DR KNOBEL: No Sir, I can't confirm that. I am saying that they were aware of the information that I gave them that Dr Jan Lourens gave me.

MR VALLY: And you are aware what General Liebenberg allegedly told Dr Jan Lourens?

DR KNOBEL: Yes I was aware of that.

MR VALLY: So if you gave him this information at a meeting of the Coordinating Committee...(intervention)

DR KNOBEL: No but I did not inform General Liebenberg that he was named by Dr Jan Lourens.

MR VALLY: Fair enough, but you told them at a meeting of the Coordinating Committee, that this had happened.

DR KNOBEL: Yes.

MR VALLY: And there was no concern?

DR KNOBEL: No.

MR VALLY: Thank you. Let's just go back to the famous "verkope lys". Sorry I just had to bring to your attention - who else raised concerns to you.

DR KNOBEL: Oh yes, yes.

MR VALLY: Dr Lourens stated on a second occasion regarding the offensive capabilities and concerns he had regarding RRL, that he tried to meet with you and you refused to speak to him and his lawyer, Mr Kobus Bekker.

DR KNOBEL: No that is not true, that is not true. I was phoned by Mr Meyer that he had seen Dr Jan Lourens, along with his lawyer, and would I please interview him, and I did so.

MR VALLY: I see. Alright. Did Dr Lourens approach you for a second time at all?

DR KNOBEL: No I am not aware of a second time. I'll tell you where I did see him a second time, I saw him at the 10th Anniversary of the Protechnic Company and I approached him and I said, have you sorted out your concerns?

And I said to him, I encourage you to take part in the investigation of the TRC because he indicated to me that he was contemplating applying for amnesty. My advice to him was to tell the truth. And I am sure that he will confirm that to you.

MR VALLY: And did Mr van Remoortere advise you that he was concerned about certain irregularities regarding military front companies?

DR KNOBEL: Mr van Remoortere advised me about the reasons why he dismissed Dr Jan Lourens. At the time that he advised me was at the same time when he consulted with me as to what he had to do with this company, that he was considering selling it once again and I was the one who said that I think that company has capabilities that is important to our country and that we should not lose that capability, and that we should try and get it to be taken over by Armscor. We had those discussions. I informed Mr Jaco de Jaar of Armscor about my recommendation. I introduced them to each other and they had negotiations and it resulted in Armscor taking over Protechnic.

MR VALLY: I want to go back to the question before we got sidelined. That this TRC52 delivery list, "verkope lys", deals with the period of, I think, about five months, 19th of March '89 to 21st of October '89 with all these, and we've now agreed, instruments of murder, did you try and enquire if there were any other deliveries at other times, did you try and make those enquiries when you discovered this list for the very first time in February 1997?

DR KNOBEL: Mr Vally when this list came to my attention, together with that of Colonel Steyn, we discussed it with National Intelligence because the information or the contents of the trunks were in their keeping. Now you are asking if I did enquire any further as to any other lists, if I understand you correctly?

MR VALLY: As to any other deliveries, as Surgeon-General and as the person who was responsible for Project Jotta under which RRL fell ...(intervention)

DR KNOBEL: No, the answer is no, I did not make any enquiries. I was at that stage cooperating with National Intelligence and drawing up the Project Cloud document. And you have - everything that is written in the Project Cloud document you have available.

MR VALLY: So for all we may know, and the country may know, that this delivery of cholera, for example, is just one of many, many deliveries of cholera which may be lying in someone's fridge, for all we know?

DR KNOBEL: Mr Vally how do you propose I should investigate this as Surgeon-General?

MR VALLY: Well as Surgeon-General, as the ...(intervention)

DR KNOBEL: Yes but I am saying, as Surgeon-General how do you propose ...(intervention)

MR VALLY: Yes, as the person who was responsible for the facility which produced these items ...(intervention)

DR KNOBEL: Which at that time was already closed down.

MR VALLY: Yes. And I would go to all the people who were involved in it and enquire from them. Let me show you a document. Have you seen Dr Immelman's affidavit? It's been given to your attorney.

DR KNOBEL: I haven't seen it as yet.

MR VALLY: Dr Immelman in relation to the "verkope lys" says - he was asked to make his items by Dr Wouter Basson. Then he was introduced to certain operatives to whom he delivered these items at various times. You, of course, know Dr Immelman, also someone who worked under the persons at RRL, also part of Operation Jotta?

DR KNOBEL: Yes I do remember Dr Immelman, yes.

MR VALLY: Right. He says he was specifically asked to do this and he had to deliver this to certain agents and the agent's initials are on that document. He gives the agent's names.

DR KNOBEL: Are you referring to paragraph ...(intervention)

MR VALLY: 17 for example.

DR KNOBEL: Yes I see that.

MR VALLY: Now if you look at paragraph 18, after you read 17 please. 17 for the record maybe I should read it into the record Mr Chair.

"A sales list with numbers B00000 B000011 and B000012 was shown to me. I recognised the substances on the list and my signature at the side with the dates as well as my signature on list B000011 where I wrote "returned" next to the entry "mamba poison - 18 November '89. The words "JK" which I wrote next to the dates 19th March '89 and 23rd of March '89, I cannot recall. I think, however, it was Johnny Koertzen".

You know Johnny Koertzen of course?

DR KNOBEL: I've heard the name, yes.

MR VALLY: He apparently took over assistant research SRD, assistant Research and Design after Dr Jan Lourens, also a military front company.

"The 'C' next to the other dates meant 'Chris'. That was my entry for substances which I delivered to Chris or one of his co-workers.

The 'K' next to the other dates meant 'Koos'. Certain entries are not my handwriting. Koos was the man I met in Dr Basson's office at the medical office of the Defence Force"

Do you know which office that is?

DR KNOBEL: No I don't from this, but it might have been the office where Dr Basson and his - you know was the office that belonged to him, but that's not clear.

MR VALLY: And where was it located?

DR KNOBEL: In the Medical Service headquarters.

MR VALLY: In the Medical Service headquarters.

"I was also introduced to Koos as Willem by Dr Basson. He told me that Koos was also a co-worker".

Now clearly Dr Immelman is making these poison items, by arrangement with Dr Wouter Basson and delivering it to certain persons who he meets in Dr Wouter Basson's office at Army Medical headquarters.

DR KNOBEL: Not Army Medical headquarters, I am sorry.

MR VALLY: Oh sorry. What is it called?

DR KNOBEL: The South African Medical Service headquarters.

MR VALLY: South African Medical Service headquarters. Thank you.

It appears as if either, and we know for a fact that this Coordinating Committee was not concerned with individual poisoning by means of screwdrivers and umbrellas ...(intervention)

DR KNOBEL: I am afraid I don't agree with that Mr Vally.

MR VALLY: You brought it to their attention.

DR KNOBEL: Yes, I brought it to their attention ...(intervention)

MR VALLY: And ...(intervention)

DR KNOBEL: ...that that information was given. They were not concerned that it was part of the programme. That is what I am saying to you.

MR VALLY: They were not concerned, they were not concerned that murders may have been committed with poisons injected?

DR KNOBEL: But Mr Vally ...(intervention)

MR VALLY: You see the point I am making is, if they were not concerned with umbrellas shooting poison pellets and screwdrivers injecting poisons why would they have to be concerned about cigarettes with anthrax? And I am postulating that they were not concerned because they were aware of the programme.

DR KNOBEL: No, that is not true.

MR VALLY: And the reason I am saying this is that Dr Immelman states, he delivered these items on the request of Dr Wouter Basson. We have had Dr - the doctor who made the poisons, Odendal, giving evidence and told - he was asked to prepare these items which were then given to Dr Immelman to keep in his safe.

We are told by Dr Immelman that he met these white men, one of them is Johnny Koertzen, who you know, at SAMS headquarters when the introductions took place in Dr Basson's office.

Now if the Coordinating Committee is not interested in those applications, those means of applying the poisons, if they are not interested in those means of ... (intervention)

CHAIRPERSON: Mr du Plessis, Mr du Plessis I must warn you. You are perfectly entitled to advise your client but don't write notes to a testifying witness at a time when the witness is being put a question to and he has not replied.

MR DU PLESSIS: Mr Chairman ... (intervention)

CHAIRPERSON: I don't want an argument ... (intervention)

MR DU PLESSIS: Mr Chairman under no circumstances did I write anything. I've underlined a word, that is all that I have done.

CHAIRPERSON: That is suggesting something. This witness is an adult, he is intelligent, he is testifying, I don't want to have to say you must stay away from your client whilst he's testifying. This is an observation I am making against the backdrop of a complaint that was made. I've said to you whilst the witness is testifying allow the witness to reply to a question. If you feel the question is improper raise an objection.

MR DU PLESSIS: I want to make an objection made against the statement by Mr Vally. He said the "JK" referred to somebody well-known to him ... (intervention)

CHAIRPERSON: But what you should do - Mr du Plessis let me again warn you. Don't testify on behalf of your client. If there is a question that is put to your client unfairly your duty, and I don't have to remind you of your legal duties, is to raise an objection, so that no inference should be drawn from your conduct, which is what I saw. That you are trying to assist your client in answering a question which is being put to him.

MR DU PLESSIS: I take note of that. All I am saying is the statement made by Mr Vally to my client is wrong.

CHAIRPERSON: Yes, that's what I would have expected you to have done. Mr Vally.

DR KNOBEL: Mr Chairman I may just say that I was waiting for the question to be completed and I would then have gone back to this paragraph, in any case.

CHAIRPERSON: Yes, no, no, no....

DR KNOBEL: I just want to make that point.

CHAIRPERSON: No, no, no, I was not even addressing you General, with respect. I was addressing a colleague.

DR KNOBEL: I understand.

CHAIRPERSON: ...who understands exactly where I am coming from with that sort of approach.

DR KNOBEL: I must say Mr Vally I have now lost the thread, would you please say it again.

CHAIRPERSON: We have lost time in the process. Mr Vally it is quite clear to me that we are not going to finish either this witness - we are not either going to finish this witness or recall the other two witnesses who we had wanted to warn. It's half past three now, by quarter to four almost half this panel will have left. I suggest that this should be a convenient stage to adjourn. To adjourn only for five minutes for you and counsel to arrange dates and for me to warn all the witnesses who are here to appear on that date.

Can we then adjourn until twenty five to?

MR VALLY: Thank you Mr Chair.

HEARING ADJOURNS

ON RESUMPTION

CHAIRPERSON: Can you get ready to resume please before I am left without a panel. Mr Vally please make this one as painless as possible. I don't want to fight anyone, I even want to hug Mr du Plessis and everybody else, I just don't want a fight - please.

MR DU PLESSIS: Did you have some ecstasy in the break.

(General laughter)

DR RANDERA: He is looking for some.

(General laughter)

CHAIRPERSON: Ja, Mr Vally.

MR VALLY: Do you want me to talk to you about dates now Mr Chair?

CHAIRPERSON: Well there are just a few things that I would like to put on record.

Firstly, that I have been advised by the investigators that they did actually contact Mr Roelf Meyer at the time that their investigations were going on. He did make some explanations and it seems, therefore, that being aware that the investigations were being pursued in contemplation of a hearing of the nature that we've held, though we can't say he waived his rights, he was very much aware of it. And in any event should a finding be made an opportunity will be made available to him in terms of Section 30. I just wanted to place on the record that we are satisfied that no undue prejudice was made to Mr Roelf Meyer.

Secondly, the Archbishop, who is the Chairperson of this Commission, asked us, as the panel, to extend his own sense of gratitude to all the people who have made these hearings the sort of hearings that they are.

He wishes to place on record his appreciation of the way in which all those who were participating in these proceedings have conducted themselves, in the course of battles, before the battles, after the battles. He got a distinct impression as we were proceeding, that notwithstanding differences, the legal representatives and everybody else were conducting themselves in a manner that showed that there was an attempt to get the process going on.

In particular he said I must indicate his sense of gratitude to all those who made the work possible, the investigators in particular. But by extension all the staff members who make it possible only for us to sit here and appear to be very clever when in fact the work has been done in the backrooms.

Those are the remarks that I wanted to record.

Mr Vally now that I've indicated that everybody has cooperated and the Archbishop has seen that I expect that you are going to go through this one very quickly, showing the same degree of cooperation.

MR VALLY: Thank you Mr Chair. Mr Chair the situation is as follows. Mr du Plessis is available for next week Thursday and Friday. Mr Arendse will make himself available. He has matters but he has kindly agreed to move those matters to make himself available. Mr Cilliers has indicated that he has got commitments but he would also try, he stressed he would try to make himself available for Thursday, Friday next week. And that's where we are until you recalled us.

So our suggestion is this hearing be postponed to Thursday and Friday of next week, which I believe is the 18th and 19th of June.

CHAIRPERSON: Are those dates being confirmed in the manner in which Mr....

MR CILLIERS: Mr Chairman that is correct as Mr Vally has said. I am just worried, I will try, but as you know if you come from a practice, I am just frightened I can't give the assurance. I have to go back to various attorneys and see whether we could get some postponements. I am worried about the situation that large group of people will assemble and I will keep in contact with Mr Vally, but I am worried about a cost aspect. There are many legal representatives who will have to come here at a high cost, that you will postpone to a date that I am not sure of. My learned colleague is definitely not available, but if one of us could be here we could continue with this. But I want to place on record that I will try to get here, but it's a matter of various arrangements to be made on Monday. My position is regarding Thursday and Friday is problematic. But I have given Mr Vally the undertaking I will try my best.

CHAIRPERSON: Yes, can we then put it on the basis that these proceedings are postponed to Thursday of next week, the 18th of June, the intention being for the proceedings to proceed on the 19th as well; that all the witnesses are warned to appear; that in-between arrangements, should these be necessary, should be entered into between legal representatives Mr Cilliers and Mr van Zyl with Mr Vally, and that we should then be placed in a position to understand what the position is. But otherwise the matter is postponed to or adjourned to the 18th of June at nine o'clock at this venue.

MR VALLY: Yes I have got no problems with that except on Monday, but I will arrange with Mr Cilliers to contact someone else. Thank you Mr Chair.

CHAIRPERSON: The proceedings are adjourned.

HEARING ADJOURNS TO 18 JUNE 1998

ON RESUMPTION ON 18 JUNE 1998

ADV POTGIETER: Good morning Ladies and Gentlemen. Welcome to the continued hearing into the Chemical and Biological Warfare programme.

Before we proceed I think it's perhaps appropriate for me to just again put on record the names of the panel presiding, whereafter I will ask the legal representatives to do the same again.

On my right, extreme right, is Dr Wendy Orr. Next to me is Yasmin Sooka. On my left is Dr Fazel Randera. And I am Denzil Potgieter. We are the presiding panel. I am going to ask the legal representatives of the parties to

place themselves on record. Perhaps I should start with General Knobel's representative.

MR TOWEEL: Thank you Mr Chairperson. I am C R Toweel from the Pretoria Bar, instructed by D P du Plessis Attorneys, acting on behalf of General Knobel.

ADV POTGIETER: Thank you very much. And Mr du Plessis is assisting you. Advocate Arendse.

MR ARENDSE: Thank you Chair. Norman Arendse, Cape Bar, for the Department of Foreign Affairs.

ADV POTGIETER: Thank you Mr Arendse. And then there is somebody standing in for Mr Currin.

MS REYNOLDS: ...(indistinct)

ADV POTGIETER: Thank you Mrs Reynolds. For the Commission is Mr Vally.

MR VALLY: That's correct Mr Chair. The name is Hanif Vally. I am assisted by Mr Jerome Chaskalson, Miss Chandre Gould and Professor Peter Folb.

ADV POTGIETER: Thank you very much. Those are the respective representatives of the parties.

We have started hearing the testimony of General Knobel at the last session. We will proceed this morning, I assume Mr Vally, to conclude the testimony of General Knobel. Is that what you would like to happen?

MR VALLY: Yes Mr Chair. We want to conclude the testimony of General Knobel.

There are two items that we need to raise. One is General Knobel has indicated that he wants to read a statement into the record.

The second issue is the fact that Brigadier Basson and Dr Mijburgh's legal representatives are not present. They have indicated to us, and there's correspondence exchanged, and I don't want to necessarily go into the correspondence, but the Commission may want to put something on record regarding the issue after they have had a chance of reading all the correspondence. It is correspondence that has recently arrived, and at a suitable time the panel can have an opportunity to peruse the correspondence and respond thereto. But they were aware that the hearings continue today with the evidence of General Knobel.

ADV POTGIETER: And Dr Basson and Dr Mijburgh, what is their position? Are they present or not?

MR VALLY: Neither of them are present and ostensibly it is because their legal representatives are not present. We are also told that Brigadier Basson is

going to be engaged in the operating theatre in the next day or two ... (intervention)

ADV POTGIETER: Oh I see, I am sorry Mr Vally does that - does it appear from the correspondence that you referred to?

MR VALLY: Yes that's set out in correspondence as to what is happening in their regard. The panel may wish to put something on record but I believe they should peruse the correspondence first.

ADV POTGIETER: Alright. So shall we then - let's stand down. That issue - and perhaps we can get to General Knobel and get him sorted out.

MR VALLY: That's correct.

ADV POTGIETER: Alright.

MR VALLY: There is an indication, I must put on record also, which you will see from the correspondence Mr Chair, the fact that Dr Mijburgh is willing to give evidence. Thank you Mr Chair.

ADV POTGIETER: Thank you very much Mr Vally.

General before we continue welcome again. I am going to administer the oath to you just to get the formalities out of the way and then we can get into your testimony.

DANIEL PETER KNOBEL: (sworn states)

ADV POTGIETER: Thank you. Please be seated General. Mr Vally I think you were busy dealing with the testimony of General Knobel. It's over to you.

MR VALLY: Yes Mr Chairperson, but General Knobel has indicated that he has prepared a written statement and he would like to read it into the record before we continue with the questioning of him.

ADV POTGIETER: Have you had regard to that?

MR VALLY: I have only had sight of it right now. I haven't read it yet.

ADV POTGIETER: And Mr Arendse?

MR ARENDSE: Chairperson I have read the statement and we've discussed it and there's nothing in the statement itself. He does refer to a number of annexures in respect to which we may have certain problems. But as the statement itself reads there is nothing objectionable from our side.

ADV POTGIETER: Thank you Mr Arendse. Miss Reynolds do you want to say anything? Not. Thank you. And I suppose Mr Toweel you are aware of that?

MR TOWEEL: I am aware of it, thank you Mr Chair.

ADV POTGIETER: Thank you. Alright Mr Vally then it seems as if we can proceed by getting General Knobel to refer to his statement. Right. General then it's over to you.

DR KNOBEL: Thank you Mr Chairman, but may I just point out that within the statement I am referring to a number of documents and the contents of documents that I have given to the TRC most of which was already given to the TRC about ten days ago but there are one or two additional documents that were added this morning, and I would certainly, if it was possible, be able to discuss some of the contents of the documents to substantiate what I say in my statement.

And then I will add that I have tried also from my side to keep out of my statement anything that could be either of a proliferating nature or of a nature which could embarrass our international relations, but I would need some guidance at that point when I get to it and we want to discuss it I certainly would like to discuss it.

Thank you Mr Chairman.

ADV POTGIETER: Yes when we get to that stage I will hear Mr Arendse who is here specifically just to ensure that we don't breach anything on that side.

DR KNOBEL: Right, thank you Sir.

ADV POTGIETER: But please go ahead General.

DR KNOBEL: Thank you.

"In my opening statement in my evidence to the TRC on Thursday the 11th of June 1998 I outlined the role that I played with respect to the TRC investigation; the Office of Serious Economic Offences investigation; the investigation by the Office of the Attorney General; the investigation of the National Intelligence Service and later the National Intelligence Agency which resulted in the production of the document known as Project Cloud I made available to the TRC in 1997. And finally my relationship and responsibilities with respect to the Department of Foreign Affairs and the Non-Proliferation Council within the Department of Trade and Industry.

I also indicated that in the above period I had to brief and advise all the relevant Ministers as well as President de Klerk and President Mandela personally on certain issues and indicated that I had briefed certain Parliamentary committees on the CBW programme.

I then indicated that I would be referring to all the above activities and to documents that had a bearing on the programme including my briefing to the TRC on the 21st of January 1997 and the Project Cloud document of the National Intelligence Agency dated October '97 with the understanding that I could not be held responsible for any information that would lead to

proliferation or a threat to the RSA's international relations if it became available to the media through my testimony.

Since that statement I have been questioned on a number of issues on which the answers provided by me may have created the impression that I did not act expeditiously on information that became available to me at the time.

Furthermore it came to my attention that I had erroneously referred to a meeting with the National Intelligence Service as having occurred on the 24th of September '94 instead of the 24th of September '93, which clearly added to the impression that I had allowed a long time to pass before I acted decisively.

I therefore wish to put all the events that took place from '92 onwards, and in which I played a part, into perspective so that -

One, the true position as I experienced it can become visible and,

(b) all the actions that I took can be valued objectively.

With reference to my concern that some of the information in this affidavit may have a proliferation danger or may have a negative effect on the RSA's international relations I have made a copy of it available to the office of the State President so that it's legal representative may advise whether the statement can or should be made in an open hearing or **in camera**.

A copy has also been made available to Mr Mike Kennedy.

After I took over as Surgeon-General on the 1st of March 1988 and up to November 1992 I was satisfied that Project Coast had been managed exactly according to the official mandate as conveyed to me according to the political decisions that had been taken by the Ministers of Defence since 1981, as well as by the State President, Mr de Klerk on the 26th of March 1990, as well as by the special Cabinet committee on Sensitive Projects appointed by Mr de Klerk on the 20th of September 1990, and as confirmed at a mini-defence command council meeting on the 25th of October 1990.

The briefing to President de Klerk and the minutes of the mini-DCC is included in **Appendix A.**"

Now Mr Chairman, at this point I would like to refer to that Appendix and draw your attention to certain things in it. May I proceed with that?

ADV POTGIETER: Yes I accept that.

DR KNOBEL: Thank you.

ADV POTGIETER: If there are any difficulties it will be brought to my attention. Please proceed.

DR KNOBEL: Thank you. If the Commission looks at the briefing to the State President, I am not going to read the entire briefing, you have it available if

you wish to do so at your leisure. I want to refer to page 3, paragraph 10, in which a discussion was held with the State President with regards to the nature and the effect of chemical and biological weapons and the explanation that is given here is -that in the Western world there was a change taking place. It reads as follows:

"It was moved away from research and development regarding weapons of destruction and two new approaches were taken:

A. The development of chemical weapons which are not non-destructive that can impair the brain function of the target groups that they cannot function properly and can easily be attacked by conventional weapons".

Then I want to refer you further on, after we discussed with the President the aims and objectives of the project and the way that it has been run up to then, page 4, paragraph 18 under the heading "Threat to the South African Defence Force". I want to draw your attention to the second half of that paragraph which reads -

"We, however, in 1986 found certain bomb shrapnel after a supposed attack on Unita and we tested that for chemical agents, namely with the code name **DM**. This agent is an incapacitating agent which causes irritation of the eye and throat, disorientation, nausea, vomiting and depression".

A discussion then follows about the developments after that finding, and on page 5 I wish to draw your attention to paragraph 23. This is with reference to the chemical company that had been established and what it was working on -

"This plant concentrates on research in and the production of incapacitating and irritating agents. These agents are built into weapon systems together with Armscor. A new type of teargas was developed which could be used effectively".

Finally if you would allow me with regards to the biological research and development, page 6, paragraph 27 -

"Our biological plant, this is RRL, is responsible to keep up to date with all potential threats, and to do this it is continuously producing new organisms so that the threat can be updated and that preventative and treatment methods can be updated".

In essence that document refers then to what we put in front of President de Klerk and what he approved. His approval was that we could continue with the incapacitating agents and with the irritating agents as had been presented to him; that we should stop all further research on any deadly agents.

The next document, if I can take you back to my statement where I refer to the second document, namely the minutes of a mini-DCC, that's what you have in front of you in that same Appendix, and you will see it's a thick document. You will see that it reads:

"These mini-DCC, Defence Command Council meeting held on the 25th of October".

You will also see, by the way, that General Steyn attended that meeting. And here I want to just very briefly take one or two paragraphs on page 1, paragraph 2:

"The purpose of this meeting was:

1 - to provide background regarding the status of development of chemical weapons in the Project Coast.

2 - the decision regarding the research should be re-established based on the present directive and the State President's instruction regarding the establishment of technology".

Why I am showing you this, Mr Chairman, is to show you that the decision of the State President was carried through to the Defence Command Council and from there obviously to the Co-ordinating Management Committee.

And then on page 2, paragraph 5(B):

"The State President provided authority for research into chemical weapons and not into the production of deadly chemical weapons".

and let me explain what that means. It means **incapacitating agents** or **irritating agents**.

I want you then to turn to the appendix to that document which was a document to the same mini-DCC with the proposed new philosophy for chemical and biological warfare. Again you will notice that the person who drew up the document is Brigadier Basson. He will, if I take you to the relevant paragraphs, if you look at page 3, paragraph 10A, that the decision that was given to us or the direction that was given to us through our State President is reflected here:

"The development of chemical weapons which are not deadly but which can impair the brain functions of target groups so that they cannot function in an orderly fashion, and they could be approached easier than with conventional weapon".

It also deals on page 4 with the implications - "the implications of the chemical threat for the South African Defence Force", a discussion of that. I am not going to read it all Mr Chairman.

And then I refer you to page A6, the main conclusions of:

The chemical warfare and the conclusions and what was decided then during this Council. Paragraph 32.

"To avoid this threat the Defence Force has to do the following:

Keep up-to-date about the research regarding the offensive threat;

keep up-to-date regarding research regarding the latest technology to protect against chemical weapons and a system of training of chemical warfare and to maintain that as if the physical threat could be fought against and, to develop a command structure which can take proper decisions".

On the next page -

"The technology in South Africa establishes and provides protective clothing according to the new standards and to improve this ability and to establish the technology in South Africa, not to produce chemical weapons of mass destruction. And to develop operational activities in which the above five points can be incorporated, rationalisation of functions will take place and central co-ordination is also important".

And further on that same page under the heading "Offensive chemical warfare philosophy".

"It is proposed that the South African Defence Force develop a research capability regarding limited production of non-deadly chemical weapons and maintain that".

And regarding the defensive policy, page A8, paragraph 35,

"It is also recommended that the Defence Force should develop an offensive capability which should entail protection".

Finally if you look at page A12 -

"Establishment of the production technology for non-deadly weapons".

Paragraph 59 deals with the steps that will be followed in achieving that.

And then finally paragraph 60, the first sentence - "In this regard Project Coast has already developed one chemical warfare agent, namely the so-called NGTR, a new generation teargas".

As you will see later on that refers directly to the CR that was developed in the programme. I use these two documents to illustrate to you that the guidance that was given to us by the President were followed through into the Defence Command Council and were applied exactly in that fashion and was carried through into the Co-ordinating Management Committee and into the project.

If I can now take you back to where we were on my statement.

"During December 1992 President de Klerk announced the early retirement/retrenchment and/or dismissal of some 23 military officers after General Pierre Steyn had submitted his report on the alleged activities of the South African Defence Force to the Cabinet on the 18th of December 1992.

Brigadier Doctor Wouter Basson of the South African Medical Service was one of these officers. At the time I was in London on the way back to the Republic of South Africa, having attended the AMSES Congress in the USA and visiting the Boots Pharmaceutical Plant in Nottingham in the United Kingdom.

The Chief of the South African Defence Force, General Liebenberg, phoned me in London to inform me about Mr de Klerk's decision and to enquire whether I would be available to be appointed as Acting Chief of the South African Defence Force over the Xmas holiday period, with the responsibility to deal with the administrative process required to carry out the instruction of President de Klerk. I indicated that I would be available.

On my return to the Republic of South Africa, I immediately enquired as to the circumstances that led up to this decision with specific reference to the position of Doctor Basson and was simply told that it could not be discussed in detail with me but that the President had appointed the Steyn Commission in addition to the Harms 1990, Goldstone 1991 and Hiemstra 1991 Commissions, to conduct an investigation into the Intelligence Services of the South African Defence Force and the South African Police, with special reference to their role in possible third force activities.

In addition I was informed that all findings would be handed over to Mr d'Oliveira of the Attorney General's office for possible criminal proceedings against individuals found to be involved in such activities.

Not satisfied with what I was told and quite alarmed about the position of Doctor Basson who was playing a critical role in the privatisation of the front of Project Coast, and I'm referring here specifically to DG Scientific and R&L, as well as to recovering some funds and closing accounts which were still in existence in Europe. I tried in vain on two occasions to arrange to see Mr de Klerk personally through the office of the Minister of Defence which was then Mr Louw.

I also had telephonic discussions with General Liebenberg in this regard and was eventually asked by him to visit him at his holiday home near George and to bring Doctor Basson with me. At this meeting I was asked to allow him to speak to Doctor Basson alone and thereafter informed that he had explained to Doctor Basson why it was found necessary to put him on early pension, but that

it would be appreciated if he could still be available to the Surgeon General after the 31st of March 1993, in a voluntary capacity in the Citizen Force Reserve, to finalise outstanding issues within the project.

I was again assured that the d'Oliveira investigation would undoubtedly deal with any so-called third force activities. Somewhat reassured I proceeded to deal with the documentation of the 23 officers involved, with the help of the Chief of Staff Personnel of the Defence Headquarters and with a rather serious negative reaction with the Defence Command Council with respect to the role played by General Steyn in what seemed to them to be an unfair dismissal of senior officers in the South African Defence Force, without any visible application of the rules of natural justice including the **audi alteram partem** principle.

In this regard I had several discussions with General Pierre Steyn, who was clearly also disturbed by the animosity of his fellow members of the Defence Command Council.

Important to note was the fact that General Pierre Steyn indicated at the time that he was not at liberty to disclose what he had reported to President de Klerk and that we should leave the matter in the hands of the d'Oliveira investigation. In this regard the contents of the so-called Steyn Report was not revealed to me in any way until I received a translated copy of the staff paper used by General Steyn, from Mr Mike Kennedy in February '97"

And you have this document in front of you as **Appendix B**. This document was as far as I can judge, a translation of the TRC document number 111 in the bundle of documents for this hearing.

On the 7th of January 1993 - I beg your pardon Mr Chairman, if I can just refer to that document. I'm not going to discuss the contents. You will see at the bottom right-hand corner where it was handed over to me by Mr Mike Kennedy on the 25th of February 1997.

"On the 7th of January 1993, the new Minister of Defence, Mr Louw, was briefed about the state of the project and what the implication of the pending signing of the New Chemical Weapons Convention by the Minister of Foreign Affairs, due to take place on the 14th of January '93, would be.

The full briefing plus confirmatory notes of the briefing drawn up on the 8th of January '93 and signed by the Minister are included in **Appendix C**"

May I please refer you to that document? Again Mr Chairman, I am not going to read the entire document but I'm simply going to point out to you that in this document the entire project as it was mandated and initiated initially by General

Malan, with its aims and objectives, with the phases that it went through, is described in some detail. Particularly I want to refer to page 4, paragraph B, Heading:

"Phase 2: The Commercialisation Phase"

where it reads as follows:

"Continuation of research and identification of research objectives for production owing to guidelines given by the State President after briefing given to him in 1994"

And then the next paragraph C:

"Phase 3"

paragraph (iv):

"A submission to the Parliamentary Committee regarding sensitive matters being investigated by the State. This Committee consisted of various Ministers and during this the contents of the project was made clear to them"

The rest of the document deals with, in some detail, with these different phases to bring the Minister totally up to date. I would like to refer you to page 7, paragraph 27:

"Offensive Equipment Obtaining and Research. According to the guidelines by the present State President in 1990, only irritants and incapacitating measures were made which can be used in counter insurgency. These are a CR derivative, an irritant B, which is a BZ variety incapacitating, C, a methaqualone derivative which is incapacitating, D, dimethyl amphetamine which is incapacitating"

We then proceeded to discuss with the Minister what the implications of these substances were with regards to the pending CWC Convention and this is what is reads on page or rather paragraph 28 on page 7:

"The BZ variant leaves us with the least problems. We produced 1000 kilogram's for weapons which would take place in 1993. This substance was on the list: "Prohibited Agents" and we were compelled to announce this or destroy it. The last option will be the preferable one"

And the next paragraph, 29:

"The NGT provides fewer problems"

Now Mr Chairman, I can deal with this in great detail but basically what it says there is that CR as an irritating agent is not prohibited by the New Chemical Weapons Convention. You do have to declare that you have it in your possession but no other requirements are necessary. We therefore indicated to

the Minister that we could carry on with the CR although we were going to sign the Convention within a week.

And then on page 9, the confirmation again with regard to the incapacitating agents, sub-paragraph 37:

"Incapacitating agents as previously described, the Defence Force has two incapacitating agents"

Mr Chairman, that refers to the BZ variant that I've already dealt with and the second was the dimethyl "ketoon amfetamien derigaat"(?) ...[no English translation] which will come forward again later on in the hearing. And then finally under recommendations on page 10:

"It should be continued with the defensive projects under Armscor"

What is meant there is the production of masks, filters, clothing, detection apparatus, decontamination. 42:

"That the SADF will not declare that it has this agent and will go ahead with the production of this in the form foam until its been completed. This work should be done covertly to be able to be protective"

Mr Chairman, I would like to explain in this regard. Signing the Convention means that South Africa becomes a State party to that Convention, however the Convention must then be ratified and the number of countries that have to ratify it in this case were 65 and after 65 countries ratified it, then it enters into force 6 months after ratification.

So what we said to the Minister here is: "We can carry on, we don't have to declare it now. When the Convention one day is ratified and enters into force 6 months later, that is when we will have to declare that we are in possession of CR.

And third recommendation 43:

"That all work in connection with other the two incapacitants should be ceased and that all raw materials should be destroyed in the presence of a member of the South African Police so that a certificate of destruction be supplied"

Because I realised that this was an important meeting and these were important decisions taken by the Minister, I had the secretary of this meeting, which was Colonel Steyn, draw up confirmatory notes immediately. That is the second part of this documents. You will see:

"...[no English translation] George on 7 January, the date here is 8 January"

And I only want to refer you to the final decision by the Minister, page 3: Decisions, paragraph 13:

"The Minister accepts all the above three recommendations as described here"

As I read it to you from the original meeting. And 14:

"The Minister gives instructions that all technical and scientific documentation regarding this programme should be put in a safe place so that the programme can be reactivated if necessary. The Defence Force should not limit the capability to prevent anarchy and they should not leave these capabilities"

You'll see my note there in my own handwriting, the instruction to Brigadier Basson with regard to recommendations, paragraph 12:

"To have negotiations with SAFCOL"

In other words to go ahead with the process of destruction and obtaining a certificate to this effect from the police. And you can also see right at the bottom in the handwriting of the Minister what he said about: "NGT". I have difficulty in reading it but I'll try:

"Because NGT is not a listed agent regarding the Chemical Weapons Convention and because it's regarded to be used in the control of riots. I approve it, but before this agent is used it should first be cleared out with the Minister or the State President"

That deals with this Appendix Mr Chairman. If I can go back to my statement.

"After this briefing I also privately brought the Minister up to date with the position of Doctor Basson, as outlined above"

Mr Chairman, if I may just explain this. I'd already told you that I'd seen General Liebenberg at his holiday house and discussed the position of Basson and what he had said to me at the time. This is what I have related to the Minister then.

"I also informed the Minister that I had received a letter from the Offices of Serious Economic Offences, the date of it, the 8th of December 1992, informing me that they were conducting an investigation in accordance with Section 5 of the Act on the Investigation of Serious Economic Offences, 117 of 1991 in Armscor, with special reference to Brigadier Basson. This letter and my reply to it dated the 11th of January 1993 is of importance because it contains a lot of information about Project Coast and how it was managed and in particular it mentions the fact that I had experienced some difficulties with the control over

Brigadier Basson with respect to operational use of products with the project and how I tried unsuccessfully to rectify it.

A copy of the letter from the Offices of Serious Economic Offences and my reply to it, which was also made available to the Minister of Defence, is included here, **Appendix D**"

If I may refer to Appendix D and again Mr Chairman, I will not deal with the entire document but only the relevant paragraphs. First of all at the back of the document is the letter that I received, dated the 8th of December, with a whole number of questions. I refer specifically to paragraph 12 which reads as follows:

"Under whose control did he work and who authorised his activities"? and in my answer, I want to refer you to the answer to that question, page 13, question 12:

"Under whose control did he work and who authorised his activities"? And I will read that to you.

"Brigadier Basson was after his appointment in the Defence Force, under the control of the Surgeon General and he is responsible for medical and other activities responsible to the Surgeon General. Brigadier Basson was under operational control of the Commanding Officer Special Forces and the Defence Force as from March 1981 and all his military activities were controlled by this instance. Since the 1st of March 1988 I personally controlled him and it was confirmed by his appointment as Director of Research and Development in my headquarters. Regarding the project under discussion, Brigadier Basson was responsible for the Co-ordinating Committee for the management of this project. This includes research, development and production and his activities were authorised by this body. The situation regarding the operational application of the products delivered by this project was different. In this regard Brigadier Basson was tasked by the user or the person who gave the instructions. These people who gave instructions were the Minister of the Defence Force, the Minister of Defence, the Head of the Defence Force, the Commanding Officer Special Forces, the Head of Staff Information, the Commissioner of the South African Police, the Commanding General of the South African Police and the Director General National Intelligence Service. The above state of affairs was not acceptable for me and I objected to this to General Geldenhuys, the Head of the Defence Force. He took note of my objection but the practice continued. In the cases where Brigadier Basson was tasked operationally by the

abovementioned people, the Management Committee of Project Coast only knew about that after the operational need had been satisfied"

I would like to explain this. The main product at that stage was the CR that had been produced and we had in our possession and was being utilised by all of these instances that I'm mentioning here. And let me just make it clear Mr Chairman, the Medical Service is not a combat arm of service. The Medical Service cannot apply any of these substances, it can only be done by Combat Services and that is why these individuals that are mentioned here are all in charge of combat or operational forces.

Perhaps I should refer to page 16 where I repeat to the Offices of Serious Economic Offences what I have said to the Mini Defence Command Council in paragraph 63:

"Furthermore I want to indicate that the present State President on the 26th of March 1990 in the presence of Malan, Geldenhuys, Liebenberg and myself was informed by Basson regarding the status and scope of Project Coast. The State President provided approval that the project could be continued regarding the offensive research objectives and that attention should be given to the irritants and incapacitants. This instruction was followed to the letter and in a cabinet meeting regarding sensitive projects consisting of du Plessis, de Villiers, Coetzee and Viljoen, Brigadier Basson on the 20th of September brought these people up to date with the present state of affairs"

Mr Chairman, obviously this letter is to the Office of Serious Economic Offences, they are looking at financial abuses and that is why the answer is directed more towards the financial side in which they had an interest in at the time. I add to this that during this briefing I was not present because of other responsibilities.

Then Mr Chairman, simply to show you that the process that had been followed by myself was one of, in my opinion, responsibility to ensure that the guidelines given by the State President is conveyed to everybody that had to know it and that the circumstances around it was explained in every case.

Now I go to my statement:

"On the 14th of January 1993, Mr Pik Botha signed the New Convention, the Chemical Weapons Convention in Paris. I was part of the delegation that accompanied him as an advisor and in this regard I confirm that I had briefed him before the time about the fact that we had a Defensive Chemical and Biological Warfare Programme but that its mandate was within the provisions of the original Geneva Protocol of 1925 as well as with the Biological Weapons

Convention of 1975 and would remain so with respect to the Chemical Weapons Convention, also after ratification and entry into force.

During February 1993, Brigadier Basson reported to General Liebenberg and myself that a transaction that had taken place in Croatia on the 6th of November 1992 had resulted in a loss of project funds because of the arrest of the agent he used to facilitate the transaction.

As it was believed that these funds could be recovered quickly, General Liebenberg approved personally that Brigadier Basson could return to Croatia to attempt to rectify the situation. This ultimately resulted in Brigadier Basson himself being detained in Switzerland together with the agent on charges of fraud in June 1993. These happenings obviously impacted directly on the Office of Serious Economic Offences and Auditor General's investigations.

Along with these events, my and Colonel Ben Steyn's activities were directed to carrying out the instructions of the Minister of Defence as given the briefing of the 7th of January 1993 and reporting the relevant facts to the Co-ordinating Management Committee at its meetings on the 29th of January 1993 and the 31st of March 1993.

In particular the procedure followed to terminate all work on the incapacitating agents and to destroy all ground substances and existing agents and to obtain a certificate to this effect, were confirmed and were documented. All of these and other relevant documents are included in **Appendix E**"

And please, I write an NB here, these documents should be read with what I dealt with in **Appendix C**. Mr Chairman, if I can take you through that very quickly. The first document in this bundle is a quotation that was received from Medchem Technologies for a substance called DNA Dimethyl Phenathelimine, code name Baxil and it is dated the 30th of July 1992. And I then sign an order directed to Doctor Philip Mijburgh of Medchem Technologies, dated the 7th of August 1992 and I say, I refer to the substance DNA Dimethyl Phenathelimine, Baxil and I then place an order for the production of 1000 kilogram's of this product. I want to draw your attention to what I add in my letter:

"Regarding your request for protection against prosecution, I want to inform you that it is just within our ability to protect you regarding the provision of raw materials and the production of the products. Any irregularities which occurred during the production and the illegal provision to other people will be the full responsibility of the management"

Mr Chairman, that substance that is ordered there is the second incapacitating agent that I referred to in my briefing to the Minister, that had developed and

that had received. In other words on the 7th of January the next year we had received it and that we were ready to weaponise it. However, in view of the State President's decision, he would have to decide whether we could go ahead. That refers to the briefing to the Minister.

The next document in that bundle is dated the 9th of November, it says:

"Confirmation of the receipt of products received from Project Coast injuta"

I want to take you specifically to the last paragraph, paragraph 4:

"At the moment the following agents are available which we would be translated into certain products: 1000 kilogram's product B"

That is the BZ product that I referred to before when I briefed the Minister later on.

"And 500 kilogram's product M"

That is the Methaqualone on which we briefed the Minister.

"30 kilogram's product C"

That was a cocaine derivative substance that we also included at that stage.

Now what I want to point out is, this was on November. I believe that Doctor Koekemoer in his evidence here indicated to you that the delivery of the Baxil took place early in January, that is why it is not reflected on this document. However, if you refer back to my briefing to the Minister on the 7th of January, you will see that I say that we have in our possession two incapacitating agents and I indicate 1000 kilogram's of each.

The instruction of the Minister that these products had to be destroyed is contained in the next document, the document dated the 30th of March:

"Certification regarding the destruction of chemical products on the 27th of January 1993"

I refer you to paragraph 2:

"The load consisted of the following: 18 blue plastic drums, weight so and so, product M. 73 metal drums, product BX. C: white metal drums, D: small plastic containers, F: green metal drums"

My copy is a bit unclear, it looks like:

"21 green metal drums, B: four papers drums and two cartons"

Mr Chairman, these products refer to the products which were given to the Minister in his briefing:

"M being Methaqualone, BX being Baxil, C being Cocaine and B being BZ"

ADV POTGIETER: General, I'm sorry, can I just ask you, the people that do the translation have actually got to try to keep up with you and they say it's quite a competition at this stage.

DR KNOBEL: I'm very sorry Mr Chairman.

ADV POTGIETER: Would you bear that in mind?

DR KNOBEL: I'm trying to use as little time as possible.

ADV POTGIETER: I appreciate that.

DR KNOBEL: I'll try to do it a little more slowly, thank you Mr Chairman.

ADV POTGIETER: Thank you.

DR KNOBEL: I apologise for that.

If you then look at the rest of the document you will see that at the time it was decided to take blind samples of four categories of drums that were destroyed and they were destroyed by flying them out into the southern Atlantic ocean, deactivating them and then throwing them into the ocean and we had attached to this document - or rather, before we get to that, a signature of a Commandant de Bruyn which was the representative of the Chief of Staff Intelligence and a declaration by Doctor Basson which says:

"The samples were later handed over to Commander de Bruyn after they were deactivated. The samples were taken on the day of the destruction"
In accordance to what the Minister authorised us to do and in accordance to my instruction to Doctor Basson, this was taken to the forensic laboratory of the police and the next attachment to that same document is the declaration by Brigadier Strauss in which he then certifies what he had received as samples or "monsters", paragraph 3:

"During the proceedings of my duties I received the following sealed samples from Colonel Steyn: A holder marked product B, a holder marked product BX, one marked product C and one with no alphabetical identification. According to my information it was marked product M, it did not remain clearly visible but in his following paragraph he says:

"During the carrying out of my duties I analysed these samples and identified the contents. Product B was BZ, product BX which I told you was Baxil, product C"

With all respect, I'm not a chemical person. We can ask Professor Folb if he can confirm whether this was the same product that I signed for but I was satisfied that this was Baxil. Product C is the Cocaine Hydrochloride and the fourth is Methaqualone.

He gave us a further statement, it was excluded. Paragraph 3:

"Further to my statement of the 6th of the 9th, I rectify a typing error"

There's another document attached to this document and that was an exercise that had to be performed at a later stage. We had to give information to the Auditor General about the value of the substances that had now been destroyed and there is a document which says: "afskryf waardes", which was drawn up by Doctor Basson.

At a later stage, there's a letter attached here which had to be signed by the Chief of the Defence Force as the Chief Accounting Officer of the Defence Force, that was the letter in January '95 where he repeats the information that Basson gives here and he signs the document to say that that was the value of the substances.

I just want to add one additional point Mr Chairman. If you look at each one of these substances: M, BX, C, P and B and you look at the quantities and where the values were estimated, then you will see that those quantities are in agreement with the amounts that I gave to the Minister and I said they were in the possession of the SADF. I was satisfied that all the products which had to be destroyed were destroyed.

Just to complete the picture I also added the minutes of the meetings, the CMC. The first one you have there is the 29th of January. You will see from the certificate of destruction that it took place in the evening of the 27th. In these minutes which took place on the 29th, in paragraph 5 Brigadier Basson also gives feedback regarding the destruction of all measures and substances which would not be used in future and this includes the incapacitants. I think that that is all that I want to point out in that particular minute.

If you look at the next one dated the 31st of March 1993, paragraph 3:

"Brigadier Basson handed over the destruction certificate, it was given. The samples were still in possession of the Sectional Commander and Brigadier Basson said that these samples were taken and destroyed and after a long discussion it was said that these samples would be analysed at the forensic laboratory and thereafter destroyed and the certificate would be attached to the destruction certificate"

This is to demonstrate to you that the Co-ordinating Management Committee was kept in the picture as to this process as it developed.

Lastly, much later - the document I attached here, because there were questions whether that flight actually took place or not, I have a letter which was written to the Chief of the Airforce by the Office of the Attorney General. It's addressed to General Hechter and it says:

"During the investigation of Doctor Basson it was it was found that allegedly certain substances were, fell into the sea on the 27th of January. All flights were scheduled flights. There was a certain flight, H28 which on the 28th of January was tasked for training via Waterkloof and this flight went over the sea. It is important to note that the flight plan of this flight used by Wouter Basson should be made known. The name of the navigator, the name of the pilot and the list of all the passengers should be provided and also what type aeroplane was used and the route it followed and also the contents of the freight. The declarations are necessary for the legal process"

And the reply to that by the Chief of the Airforce dated the 27th of May 1997, is the next document and he gives the information with regards to the flight, the name of the navigator, the pilot, the passengers:

"Unfortunately no passenger list could be found. The four or five passengers who were there were not known to them"

He tells the type of flight and then he says:

"...[no English translation] because no reports were made for training and it was not available for this specific flight. The co-ordinator cannot be determined. As far as it can be established it was south of the Agulhas plateau about 150 sea miles from the coast. Regarding the contents of the freight, the crew was not aware of the contents of the freight but it was ensured that it was safe for air travel. It contained 20 blue plastic drums. During the flight these bags were filled with some or other substance and when they landed this was taken from the aeroplane"

Mr Chairman, I now come back to my statement, page 5:

"While the above took place I was also fully occupied in supporting the investigation of the Office of Serious Economic Offences and parallel investigations of the Office of the Auditor General into the possible financial abuses of the programme by Brigadier Basson and others. In this regard Brigadier Basson was encouraged to cooperate with both the Office of Serious Economic Offences and the Auditor General in every respect"

If I can interrupt myself I've provided many letters and documentation in this regard. I was a State witness for the Office of OSEO. If it's necessary I can make this available.

"With the appointment of Mr Coetzee as Minister of Defence in April '93, I was again instructed to brief the Minister with respect to Project Coast although a full briefing only took place on the 10th of August 1993. The Minister was

given a copy of the 7th of January 1993 briefing to Minister Louw, as well as the confirmatory notes dated the 8th of January '93 on the 30th of April '93"

If you look at the next Appendix, I'm not going to read it again, you've seen the document already, it's simply to show you, that is the actual document or a copy thereof of which I handed over to the Minister with my signature there. We were getting so many Ministers following one another that it was becoming very difficult to keep them in the picture Mr Chairman, and all that we had chance to do at that stage was to give him this and say: "Read it, you will get an idea what's been going on. It's a whole description of the programme and it's a description of instructions given by Mr Louw in accordance with the State President's guidelines and at a later stage we will brief you fully about the project". I did at that time discuss with General Liebenberg, the need to bring the Minister up to date with the problems around Basson. I'm coming back to my statement:

"Although I recommended that the position of Doctor Basson, with special reference to the Creation problem as well as the Auditor General and Office of Serious Economic Offences investigation should be discussed in detail with the Minister by the Chief of the South African Defence Force, General Liebenberg indicated that he did not think that this was necessary until after the Minister had been briefed fully on Project Coast.

The Minister did however indicated to the Chief of the Defence Force, that the research on the water soluble, CR, should be reinvestigated and that he wanted to be briefed about that separately"

Mr Chairman, he was referring to what he had read in the briefing that we had given to Mr Louw and the remarks that he made with regard to CR.

"Such a briefing did take place on the 22nd of June 1993 where Mr Coetzee approved that a demonstration model of the CR containing water cannon could be manufactured but that the Foam Project of CR, Foam Project, could be terminated.

After the return of Brigadier Basson from Switzerland on the 2nd of July '93, a briefing was given to him to myself, Colonel Steyn, Mr Pierre Theron and Mr van Heerden of the Office of the Auditor General on the 6th of July '93, which outlined the events in Switzerland, the nature of the problem in Croatia and the fact that no funds had been recovered. At this I insisted that the Minister be informed about all the above events immediately.

At a discussion that followed on the 8th of July and later also on the 15th of July '93, the Minister was fully briefed by the Chief of the South African

Defence Force, the Chief of Staff Finance and myself and handed a document drawn up by Brigadier Basson about the events in Croatia. These documents as well as related documents obtained later are contained in **Appendix G**?

Mr Chairman, I don't propose to spend a lot of time on this document but basically Doctor Basson gives here the whole chronology of what had taken place in Croatia, how the transaction went wrong and how the money was lost, what efforts he did to try and obtain the money and also two documents that I'd received. One by way of a letter from the agent that was involved here. The letter I'd already received in May and secondly, an affidavit by the agent which was drawn up in Bonn in Germany and sent through to me by our Military Attaché and that was the 13th of August, quite a lot later, the next year.

The point that I want to or the items that I want to draw your attention to is that a lot of what is being said here by Basson confirms the process that had taken place before, it confirms the fact that the Chief of the Defence Force said: "You could go back and try and recover the funds". But the fact that I wanted to bring to the Minister's attention was, there were serious problems with regard to the financial management of the project.

Now, back to my statement on page 6:

"All these events were obviously also brought to the attention of the Office of Serious Economic Offences by myself. I now took the further initiative on insisting that the Minister be briefed fully about the past history and the status of Project Coast by myself and Colonel Ben Steyn as soon as possible and the briefing was finally given on the 10th of August. This document is contained in **Appendix H**"

Again Mr Chairman, the document you will see looks very much like the document that we presented to Mr Louw, in terms of the background history and the phases and the development and where we stood, but basically I want to draw your attention to paragraph 31 which discusses again with the Minister the whole history about the incapacitating agents. Paragraph 42, which again points out to Minister Coetzee as Minister, what had happened in the process of destruction of all the substances, including the incapacitating agents.

And lastly paragraph 44:

"As soon as the last two projects, the water cannon and the data capture processes were completed, the final closure will be continued with"

If I may use this opportunity, you will see there's an Annexure. The Annexure refers to all the front companies that were in existence and were established with the approval of the Minister and also deals with other

companies. And I just want to underline here what I testified last week: Protechnic was not a front company. As far as my knowledge was concerned, it was a private company and that is why it is mentioned like that on page 2, also to this Minister.

If I may go back to my statement:

"After this briefing I privately requested the Minister to allow me to begin direct liaison with the National Intelligence Service, with regard to the Offices of Serious Economic Offences Investigation in general and the situation of Brigadier Basson in particular. This I did because of the fact that I developed the distinct impression that my efforts to deal with the situation solely within the South African Defence Force was not clarifying issues adequately and I had been approached by Mr Mike Kennedy from National Intelligence Service with the request that this should be arranged if possible, as the National Intelligence Service was also busy with an investigation into the CBW programme, with special reference to the role of Doctor Basson emanating from the Steyn Report. I also learnt later that National Intelligence Service had also approached the Minister in this regard"

Mr Chairman, at that time the Minister of Defence was also the Minister responsible for National Intelligence. "With the approval of the Minister of Defence the Chief of Military Counter Intelligence, Major General Nieuwoudt and I briefed the Director General of National Intelligence Service, Mr Mike Louw and the Director of Counter Espionage, Mr Mike Kennedy on the 24th of September 1993. At the briefing which took place in Cape Town I gave the full background on Project Coast and Doctor Basson's role in it and again emphasised the situation with respect to direct control over the operational activities of Doctor Basson.

I also dealt briefly with the fact that there had been a number of Military Counter Intelligence investigations into Doctor Basson's activities to establish where he had abused the project for personal enrichment and indicated what had emerged in the Office of Serious Economic Offences investigation up to date. This document is contained in **Appendix I**.

You will notice on the front page in my own handwriting on the top:

"Purpose to divide the research into Basson's activities from the objectives of the project. This would give him the opportunity to provide answers himself as requested"

That I think is an important aspect. If you look at the document, the document deals again with the entire background, the phases, the developments,

the processes that were followed, the decisions by the State President and the Cabinet Committee, the development of incapacitating agents, the destruction thereof, the development of CR, where we stood with that. And then finally, all of this is really what we said before Mr Chairman, finally, if I take you to page 11, we then spoke about the position of Doctor Basson. I wrote the following:

"Brigadier Basson was appointed in the South African Defence Force on the 2nd of January 1979 as a Medical Officer and he was a Lieutenant. He was used at Military Hospital from the 2nd of January till the 28th of February 1981. During this time he followed various medical services and became a first specialist in internal medicine. He had this rank since 1980. His military rank was a substantive Commander. As from March 1981, he served as a specialist advisor at headquarters and as Project Officer for the Special Projects for the Surgeon General and was added to the Special Forces headquarters under the operational command of the Commanding Officer Special Forces of the Defence Force. As from the 1st of January 1985, he had the rank of Colonel and he became head of a new division, the 7th Medical Battalion. It provided medical support to Special Forces and the paratroopers and the South African Police and the NIS. In this capacity he undergoes various courses and became a Brigadier in 1988 and became the head of Medical Staff Operations. In this post he remained for nine months till I appointed him as the Director General responsible for Research and Development in the South African Medical Services. Based on an instruction by the State President in December '92, he was placed on compulsory leave and he was placed on pension as from the 31st of March 1993"

And then a little lower down, in terms of his involvement with the project:

"49, the CMC was the controlling body of Project Coast. Decisions regarding the type of activities and products was taken by the CMC"

Pointing out again that at that level it was a broad guideline, the detailed research development was done at the level of the technical work group of which Basson was the chairperson.

Now page 13:

"Particulars regarding control over Brigadier Basson. Brigadier Basson, since his appointment in the South African Defence Force, was under the functional control of the Surgeon General and had to report to the Surgeon General, but as I've indicated previously he was under the operational control of the Commanding Officer Special Forces and all his military activities were controlled by this instance. Since the 1st of March 1988 I had personal control

over Brigadier Basson and confirmed this with his appointment as the Director for Research and Development at headquarters on the 1st of October 1988. Regarding this project, Brigadier Basson was responsible to the CMC for the operation and management of this project and his activities were authorised by this body. The situation regarding the operational application of the product delivered by this project was different and his activities were authorised by the person who gave the instructions. These people were the Minister of Defence, the Head of the South African Defence Force, the Commanding Officer Special Tasks, the Head of Staff Intelligence, the Commissioner of the South African Police, the Commanding General of the South African Police and the Director General National Intelligence Services"

In other words Mr Chairman, I have repeated here to National Intelligence, exactly what I had said earlier on to the Office of Serious Economic Offences. I say again:

"The abovementioned state of affairs was not acceptable for me and I lodged my complaint to General Geldenhuys. They took cognisance of this but it continued, this practice. In the cases where Brigadier Basson was tasked operationally by the abovementioned people, they took notice of Project Coast. The last was then regarded by CMC as part of the total programme and it was approved"

Then I have a short paragraph on:

"Research into Basson's activities: During the past two years, because of various allegations and questions and Counter Intelligence reports, the investigations were conducted into Basson. It usually had to do with suspicions that Basson enriched himself to the detriment of the State. In-depth investigations by the staff of various of senior people, in conjunction with the Auditor General was done without any proof being found. During December '92 an investigation concerning Section 5 of Act into Serious Economic Offences was undertaken by OSEO. On the 8th of December I was asked to comment on certain questions regarding the person of Doctor Basson and written answers were given to OSEO"

This is the document that I referred to earlier in one of my Appendices where you saw the answer that I gave to OSEO. And then under final comments, if you will allow me, at page 15, paragraph 59:

"I want to indicate once again that the present State President said on the 26th of March ...[indistinct] in the presence of General Malan, Geldenhuys, Liebenberg and myself ...[indistinct]"

I'm not going to read it all, you've heard it before Mr Chairman. I repeat exactly what I said before, not only to the Defence Command Council but also to the Minister, I have now repeated to National Intelligence. And finally I say in 62:

"I propose that Brigadier Basson in the future must be given the opportunity to answer any questions regarding his person to personally answer to NIS. If possible or where necessary I will assist him in that regard"

And I also add the same Appendix with the front companies and the other companies. That brings me to page 7:

"Because I believed that it would help me to finalise the Office of Serious Economic Offences investigation and moreover give Doctor Basson the opportunity to clarify his position in terms of the decision of the State President, that he should be put on early pension, I recommended that Doctor Basson be given the opportunity to cooperate fully with National Intelligence Service"

And then I say in brackets:

"(it must be borne in mind that he had consistently indicated to me that he was not guilty of any misconduct, either within the project or in any other capacity. He further said that he was being confused with other persons also known as W Basson.

At this stage I had no concrete reason to doubt his word). Mr Mike Kennedy then indicated to me that National Intelligence Service was in fact investigating issues far beyond the scope of the Office of Serious Economic Offences investigation and that they also believed that Doctor Basson would be able to clarify some of the outstanding issues in their investigation. After the briefing" ...[intervention] May I interrupt myself Mr Chairman? You must understand that at this stage Doctor Basson is on the Citizen Force Reserve, he's in a voluntary position helping us to conclude issues around the project and I had to deal with him fairly delicately at the time.

"After the briefing I persuaded Doctor Basson to cooperate fully with Mr Mike Kennedy personally as I believed that this would finally give him the opportunity to clear his name"

It took quite a bit of time to persuade him to cooperate but he did.

"To the best of my knowledge a number of discussions did take place between Doctor Basson and Mr Mike Kennedy, the results of which only became known to me in February '94"

I will come back to that point just now.

"It was at about this time that I was requested by Mr Meyer to see Doctor Jan Lourens in connection with some concerns that he had had in relation to the project. As he testified to the Commission, he did to the best of my recollection, mention the fact that he had been requested by Doctor Basson to manufacture various instruments or gadgets during the time that he was working at SRD, later to become Protechnic. It is further true that I indicated that I had not known about this and did in fact not want to know about this as I believed that it had nothing to do with Project Coast"

And if I may just explain Mr Chairman. SRD was founded early in the '80's when I wasn't even the Surgeon General and I was really not aware whether it had gone on there and I was convinced that these activities were outside the project. However, I didn't leave it there. May I just read what I said further?

"It is further true that I indicated that I had not known about this and did not"

Sorry, I've read that already:

"He then indicated to me that he had in fact been confronted at a social function of the special forces of the South African Defence Force by General Liebenberg with a remark to the effect that he, Lourens should look after his, Liebenberg's toys carefully"

I believe he testified that as well last week.

"I then advised him to bring this to the attention of the authorities that were investigating such allegations and to give the facts as he knew it"

What I meant by that is that he should go to the d'Oliveira Commission and give them the information.

"I informed General Liebenberg"

As I testified last week.

"I informed General Liebenberg about the incident without disclosing to him that Doctor Lourens had in fact referred to him directly, to which he gave what was now his standard answer, namely that the d'Oliveira investigation had dealt with these types of allegations and had up to date not acted against any person on the basis of information contained in the Steyn Report"

This was in the middle of October to the best of my recollection.

"General Liebenberg retired as Chief of South African Defence Force on the 31st of October 1993 and was succeeded by General Meiring as Chief of the Army. From 28th of February 1990 up to the 31st of October '93, General Meiring was a member of the Co-ordinating Management Committee and familiar with the major developments in the project. Certainly I did not have to brief him extensively about the programme and the process of privatisation and

commercialisation as approved by the relevant Ministers and the State President before and in any case he had available the Chief of Staff Finance, Vice Admiral Murray and later Lieutenant General Raubenheimer, Chief of Staff Intelligence, Lieutenant General van der Westhuizen, later Lieutenant General Verbeuk and Chief of Staff Logistics, Vice Admiral Malherbe, to bring him up to date in details in this regard"

You must remember Mr Chairman, the Chief of the Defence Force is the Chief Accounting Officer and is accountable to Parliament with regard to all funds, also funds that are coming out of the special defence account and this is why I mention this specifically, that he as the new Chief of the Defence Force appointed in November, would have to prepare himself to appear in front of the Parliamentary Committee in February of the following year.

"Furthermore, his main role in the Co-ordinating Management Committee was to help me finalise a number of issues before the final termination of a project. These issues are clearly documented in the last four Co-ordinating Management Committee meetings which he chaired on the 24th of January 1994, 29th of March '94, 2nd December '94 and the 9th of January '95. These documents and other relevant documents are contained in **Appendix J**"

Mr Chairman, I'm almost through but they are important. In this document I use not only the minutes of the Co-ordinating Management Committee but also two other documents which have relevance and which appear in the minutes as well. You will see that on the 22nd of March 1994, this is quite a bit later, I received a letter from Viljoen, French and Couter on behalf of Mr Brand from Organochem, with regard to the fact that this client of theirs had not been paid for the support he'd given the Defence Force with regard to the Baxil Project. There's details about the sum of money that he was supposed to have been paid for it.

If we now go to the minutes of the Management Committees that was cheered by General Meiring, the first one on the 29th of March and we just scan it Mr Chairman. It indicates that the destruction was completed, that the data process was going on, the water cannon process was going on. It is really confirmation of everything that I said before. It ...[indistinct] a section where I'd recommended that Protechnic as the private company should be taken over by Armscor and where we stand with that and there's nothing really much to be concerned of.

If you look the next one over, on the 2nd of December 1994 under:

"Outstanding claims"

Paragraph 2:

"G Brand, Brigadier Basson gives the background of this claim regarding R350 000. It's decided that this claim should be paid but that R250 000 would be a reasonable amount"

What had happened there Mr Chairman is that Brigadier Basson was called to this specific meeting to come and explain why we have now received a letter from an attorney about a claim that should have been paid more than two years before.

If we then go to the next meeting on the 24th of January '94 - no, I beg your pardon, I've got them in the wrong order now, I've read that one. On the 9th of January '95, again a short description of what had happened. If you look at page 2, paragraph 10:

"Brand gives a motivation why he thinks the full claim should be paid and it should be paid according to standards, all his costs and R60 per hour seeing that it was an accepted formula. Brigadier Basson should calculate all these" Now I want to refer you to the other document which is also a document in the possession of the TRC.

"At the discussion of the previous meeting when it was suggested that he should be paid only R250 000 although the agreement was R350 000, I questioned it and the discussion led us to ask Brigadier Basson to obtain for us a detailed description of what Brand had in fact given the Defence Force, what formula did he give us, was it of any value"

The document that you have in front of you is dated the 24th of November '94:

"Claim by Mr Branch for Technical Aid"

There is a description of the dealings with Mr Brand, what he had given to us, what the agreed sum of money was that we would have to pay him and added to it is a document signed by Doctor Koekemoer who testified here last week, and he then does an analysis of the scientific synthetic process that was followed. And this certainly I will not be able to read as clearly to you as Professor Folb would, but again to help the Co-ordinating Management Committee to decide whether this was really in fact a valuable contribution made by Mr Brand. And you will see if you look at the first document dated 24 November, Doctor Basson writes the following in paragraph 4:

"According to Doctor Koekemoer's calculations, the raw materials costs for the "safrool" part was R1,927.00 against the R326.34 for "die glediese ester part", a savings of R1.600.00 per kilogram was achieved. It should be taken into consideration that there was an amount of 1000 kilogram's end product

delivered, the total savings in raw material for the glycerium provided by Mr Brand is 1.6 million rand"

This was then presented at this meeting of the CMC on the 9th of January and it was then decided to pay him according to what is recorded here in the minutes. But it also confirms the production process that was followed with Baxil, as testified to by Doctor Koekemoer and as delivered according to his testimony, early in January '93.

Now I want to come back to my statement. I had just been telling you what General Meiring's role was and how he chaired the meetings and the decisions he had to take there and how he had to help me with the privatisation and commercialisation and final termination of the project. What I now say is the following:

"What is important however is that I shared my alarm about the position of Doctor Basson with him and brought him fully into the picture with regard to my co-operation with Mr Mike Kennedy of the National Intelligence Service. In this regard I arranged for a number of meetings between myself or rather between himself, myself and Mr Mike Kennedy during the following year to ensure that he would be fully informed of any new developments with respect to Doctor Basson"

This brings us towards the end of 1993.

"Towards the end of 1993, the National Intelligence Service received information that the United States of America and the United Kingdom Governments were preparing to challenge South Africa's confidence building declaration, so-called CBM declaration, in terms of the Biological Weapons Convention at the United Nations and that the USA and UK ambassadors were being prepared by their respective governments to deliver a joint demarche to State President de Klerk.

At the time the Department of Foreign Affairs who dealt with the CBM declaration at the United Nations on behalf of the SADF and the South African Government, indicated that they were going to submit a similar declaration to the 1993 declaration. In essence the 1993 declaration referred to a defensive biological weapons programme which according to USA/UK submission to Mr de Klerk, was incorrect or incomplete.

During February '94, the State President was briefed by Mr Louw, Doctor Scholtz and Mr Kennedy of the National Intelligence Service, on South Africa's CBW Programme and alleged abuses, with particular reference to the so-called: "unofficial programme".

This is their terminology.

"A week later the briefing was repeated to the Minister of Defence and myself. I again confirmed that I was totally unaware of any so-called: "unofficial programme" or alleged third force abuses. I further indicated that if there had in fact been abuse of the programme in the form of third force activities by Brigadier Basson and/or members of 7th Medical Battalion group, it was either on their own initiative or through a second channel of command and control"

Now if I may interrupt myself Mr Chairman, I think with the wisdom of hindsight, at this point I was finally convinced that there was a serious problem, not only on the financial abusive side but certainly also on other activities.

"The process that followed hereafter is described in great detail in the Project Cloud Report of the National Intelligence Agency and will not be outlined here" Mr Chairman, I am prepared to take you through 211 pages of this report, however I don't think we have the time and I think the members of the Commission have read it and I would seriously ask them to read it very carefully to see exactly what the process was and the chronology.

MR VALLY: We appreciate that General.

"Suffice to say, that after the briefing given to the Minister of Defence and myself by Mr Louw, Doctor Scholtz and Mr Mike Kennedy during February '94, it was abundantly clear to both the Minister and myself that there were definite indications that Doctor Basson had acted outside the mandate of the project and had probably abused capabilities that had been researched and developed in the project.

This impression was further strengthened by the detailed document of the United States and the UK Governments, dated the 11th of April as contained in the Cloud Report and of which I was given a copy on the 12th of April '94 to prepare comments for the State President. My full comment is also contained in the Cloud Report dated the 15th of April.

And that is my **Appendix K** which is now the Cloud Report, but this is a document which I believe to be one of the documents in the bundle of the TRC and again if you study that document, if this document is studied by the TRC, it will reveal exactly what my knowledge and impressions were at the time.

"Furthermore, at that point my views were shared with the Chief of the National Defence Force, the Minister of Defence and the State President, as well as with Doctor Scholtz and Mr Mike Kennedy. After a discussion of my comment as well as inputs given by the Minister and the National Intelligence Agency, it was my impression that the main priority at stake was to deal with demarche

with the USA and the UK primarily from the point of view of what would be in the best interest of the Republic of South Africa and to deal with the issue of abuses and possible criminal activities internally, through the already established Commissions of Inquiry and Investigations. This is also clearly visible in the follow-up process as contained in the Project Cloud Report"

And I see: see **Appendix K**, pages 45 to 103.

"My own personal role and further activities from then on are clearly and accurately reflected in the Cloud Report and I am prepared to discuss any aspect thereof if so required"

That is from page 103 to page 211.

"Finally I would like to confirm again, that at no time prior to the events that led up to the day marsh with the USA and the UK in '93, did I have any knowledge of so-called third force activities carried out by members of the South African Medical Service under my command or by any person or persons associated with or involved in Project Coast or any of its front companies or private companies utilised in its programme"

DR KNOBEL: ...very clearly and deliberately. Also with reference to what Dr Jan Lourens said to me three months previously. In support of this affidavit I have requested Mr Mike Kennedy of the National Intelligence Agency to submit a separate independent affidavit which will corroborate what I have declared above. I would also recommend strongly that the TRC consider the need to call Mr Mike Kennedy or any of the other persons I have mentioned in my affidavit to give evidence with relation to my position and role in the above events.

Mr Chairman if I may just finally say the following. We have a saying that paper is patient. There is a very large document here referring to numerous other documents and that one can read at your leisure and form an opinion. But what is not written in these documents is that both Mr Kennedy and I briefed Mr Mandela and Mr Mbeki on Mr Mandela certainly on one occasion and Mr Mbeki on at least two occasions about our personal impressions. Those briefings are not reflected on paper. And what I said just now about the Minister, about the Chief of Defence Force, the Minister and the previous State President applies equally to the present government. They knew exactly what I knew or what I did not know. And therefore I would like to request the Commission to take that into consideration. Thank you very much indeed Mr Chairman for the opportunity.

CHAIRPERSON: Thank you General for that extensive exposition. Can I just before we do anything else for the purposes of our record and in the scientific

vein of these hearings the panel has grown by twenty five percent in the form of our colleague Dumisa Ntsebeza, who like the rest of us is a hundred percent Commissioner but now forms twenty percent of this panel. Also for the record Ms Reynolds I see Mr Currin has joined us in the meantime. I am not sure if he is assisting you or vice versa but we leave that for Mr Currin to mediate on in the meantime whilst we take our tea adjournment and reconvene at eleven. Thank you.

COMMITTEE ADJOURNS.

ON RESUMPTION:

CHAIRPERSON: Are we ready to start Mr Vally?

MR VALLY: Yes Chair.

CHAIRPERSON: You are not on the record Mr Arendse.

MR ARENDSE: Chairperson if I may just put something on record regarding the status of the annexures referred to by General Knobel. We would prefer these documents to be treated or regarded as Category B documents, i.e. documents which the Commission agrees are sensitive for one or another reason which shall not be released to the press. But are required for the hearing. Because my attention has been drawn particularly to a document which forms part of the bundle in Annexure J which is clearly the stuff or proliferation. So for that reason we would prefer these documents to be treated as Category B.

I did indicate just before General Knobel started to testify that there was no objection to the statement as it stood and also to him referring to these annexures. And the General referred to that particular annexure in Annexure J.

CHAIRPERSON: What is J? Is that the Viljoen, French and Kota?

MR ARENDSE: Ja it is not the lawyers letter, the demand it (...intervention)

CHAIRPERSON: No, no, no but it is in that sort of bundle.

MR ARENDSE: It is in that bundle yes.

CHAIRPERSON: What specifically in that is it J2 that is being objected to or is it?

MR ARENDSE: Yes it is the letter by Dr Koekemoer to General Knobel of the 24th of November 1994.

CHAIRPERSON: Appendix B especially?

MR ARENDSE: That is correct.

CHAIRPERSON: I don't want to proliferate but is it 003890?

MR ARENDSE: Yes and also.

CHAIRPERSON: Right up to 3891 and rands and cents?

MR ARENDSE: Yes and also the whole of Annexure K which is the Cloud Report.

CHAIRPERSON: Now K does it, defensive equipment is that it?

MR ARENDSE: Annexure K?

CHAIRPERSON: Ja.

MR ARENDSE: Annexure K is the Cloud Report which is not part of this bundle.

CHAIRPERSON: My K here.

FEMALE SPEAKER: ...(inaudible)

CHAIRPERSON: No I just want to be clear. Is K not this?

FEMALE SPEAKER: No ...(inaudible)

CHAIRPERSON: Well we will have to straighten the record and the annotation. Anything else Mr?

MR ARENDSE: Nothing at this stage Mr Chairperson.

CHAIRPERSON: Mr Vally?

MR VALLY: Mr Chairperson I want to put on record that there are a large bundle of documents which were given to us by General Knobel. We will still have to go through these documents.

CHAIRPERSON: No, no Mr Vally can you address on the application by the Ministry?

MR VALLY: In principle I have no objections but I cannot support or argue against it because I haven't studied these documents in detail. As you have heard Mr Chairperson they are being photocopied at the moment. What I am saying is that we can have a discussion with my colleague, Advocate Arendse on which documents are problematic and which are not and I am sure we can reach an accommodation with him and then we can put on record specifically which ones should require or in terms of Section 33 so that they are not released to the public. But I also want to put on record that once we have an opportunity to study these documents we will want to question General Knobel about these documents and we may need another day or half a day to question General Knobel on the new documents he supplied us with.

CHAIRPERSON: Now okay so.

MR VALLY: I am told by my experts that Annexure J we agree that there should be an order as requested by Advocate Arendse.

CHAIRPERSON: General Knobel I am sure Mr Toyeli or you haven't got any objections?

DR KNOBEL: No objection Mr Chair.

CHAIRPERSON: I would expect that you have no objection as well. You are not instructed. Mr Vally you have a ruling as requested as far as that goes. Now as far as the rest goes is it your request that you need to study the documents? You are quite happy for them not to be released at this stage until between you and Mr Arendse you have clarified which can and which cannot be under Category 2? You are not necessarily saying you are accept he say so that they all fall under Category 2?

MR VALLY: That is correct Mr Chairperson with the exception of Annexure J that has been referred to for which I think you have already got.

CHAIRPERSON: Yes there is a ruling in that relation. Mr Arendse does that assist you?

MR ARENDSE: Thank you Mr Chairperson.

CHAIRPERSON: We have to apologise to the members of the media for the way in which this has to take place. You all understand that this was an arrangement in terms of which we have been able to be where we are. We can assure you that as soon as there are agreements again between Mr Vally and Mr Arendse on the basis of which certain documents must be made available to the media those would be made available without ado. Mr Vally, Mr Chaskalson?

MR VALLY: Thank you Mr Chair. General Knobel where we had left off when we were questioning you prior to you reading your statement into the record is the whole issue of the extent of your knowledge when it came to your attention that there were certain irregularities and what you did about that. Now if I recall correctly and you refer to it in your statement as well, that Dr Lourens in fact brought to your attention that his company or individuals in his company, a front company SRD were making poison applicators in the form of screwdrivers, in the form of walking sticks which shot pellets as well as umbrellas which shot pellets. This was brought to your attention I believe in early 1993?

DR KNOBEL: No Sir I am sorry you are incorrect. It was brought to my attention in October 1993. And you are further also incorrect in again stating that it was a front company. I have said to you that it was not a front company. I certainly didn't realise it was if you are saying it was. And furthermore he did not say that other members of that company had been involved in this. He said that he was requested, he was instructed by Dr Basson to make certain gadgets. That is what he said to me.

MR VALLY: Let's just go through the three issues you have taken umbrage at. Firstly you say it is October 1994 fine.

DR KNOBEL: No I did not Sir.

MR VALLY: 1993. I beg your pardon. October 1993?

DR KNOBEL: That is correct.

MR VALLY: That he told you about this issue?

DR KNOBEL: That is correct.

MR VALLY: You confirm in your statement that your reaction to him was; "Well that is another project and not my project."

DR KNOBEL: I didn't use words to that effect. I said: "I am sorry I don't know about it and I don't want to know about it." It had nothing to do with the Project Coast as far as I was concerned.

MR VALLY: Alright so you didn't know about it and you didn't want to know about it?

DR KNOBEL: That is correct.

MR VALLY: Fine. Thirdly you are saying that SRD and I am talking SRD now - is not a front company?

DR KNOBEL: Mr Vally I tried to explain that to you last week.

MR VALLY: No fair enough. I just want you to tell me yes or no.

DR KNOBEL: I was under the impression it was a private company. I reported throughout to everybody that I reported on this project that it was a private company and I have also reported that Protechnic that emerged out of it was a private company.

MR VALLY: Is your position still that SRD was a private company?

DR KNOBEL: Yes Sir.

MR VALLY: Fine. Well (...intervention)

CHAIRPERSON: But let me understand this. You are not therefore General, are you saying you are stating it authoritatively that it was not a front company? Or are you saying your impressions of the way in which it was functioning and the way you understood it are of a nature that you cannot - you as a person cannot classify it as a front company?

DR KNOBEL: Thank you Mr Chairman you have helped me a lot. I mean exactly what you have described in the second statement that you made thank you.

CHAIRPERSON: Mr Vally.

MR VALLY: Thank you. You also advised us that you raised this issue with the co-ordinating committee is that correct?

DR KNOBEL: I know that I said that in my testimony last week but I want to just explain that. I have explained to you this morning that General Liebenberg was retiring at the end of October. I addressed this issue with him personally. I

believed that the chief of staff finance was present. It was at a meeting not an official meeting of the co-ordinating committee but those were both members of the co-ordinating committee that had met about the whole Croatian issue. And that is why I said it was brought to the attention of the co-ordinating committee. Well if I can qualify that. It did not mean that a special meeting was called where all the other members that had sitting on the co-ordinating committee was involved. But I certainly mentioned it to General Liebenberg as I testified this morning without mentioning that he was personally implicated. I wanted to see what reaction I would get. I certainly mentioned it later on also to General Meiring, who was also a member of the co-ordinating committee. At that opportunity after I spoke to Dr Jan Lourens which was in October I spoke to General Liebenberg discussing the Croatian problem and just before he retired and I confronted him with that information.

MR VALLY: Now let me understand this. You have a report from a person who you believed worked for a private company and he told us it was a front company. But he used to work for a front company before he transferred to SRD. That is Dr Jan Lourens. You are aware of that. Before he moved to SRD he was working for Delta G.

DR KNOBEL: Yes I believe that is correct.

MR VALLY: That is right and Delta G was a front company?

DR KNOBEL: That is correct.

MR VALLY: Fine. He tells you that he is manufacturing applicators for poison, for toxins at the request of Dr Wouter Basson. The project officer of Project Jotta which is specifically tasked into looking at possible toxins. Especially biological toxins which could be used in chemical and biological warfare. In retrospect don't you think your view that this has nothing to do with Project Jotta and therefore I am not interested is not a valid one?

DR KNOBEL: Mr Vally SRD was formed in the early eighties and Protechnic emerged out of it. At that point I was concerned that these were things that he was telling me about that had happened in the eighties. At that stage Roodeplaat had not been functioning fully. At that stage I had no knowledge of what emerged out of the trunks only in 1997. I had only this statement by him. I also had counter-intelligence reports like the one that you put in front of me the other day and which I gave you my opinion about the counter-intelligence reports in general. Where there were various allegations also made about Dr Jan Lourens and we can go and get that documentation.

I wasn't certain what this man was saying to me whether it was true or not. But I listened to it and I said to him I don't want anything further to do. If you have that kind of information the right place to go and report that is in the authorities. And the authorities at that time was d'Oliviera Investigation. And I sincerely hope that he has told that to you. I made it afterwards at the 10 year anniversary of Protechnic where I saw him again I asked him what had happened he did not give me a direct answer. We were in a social function but he then indicated to me that he was going to testify in front of the TRC and I said to him all that you must remember is just tell them the truth. And I am reasonably satisfied with the evidence that he gave you. I can confirm what he said. It is true.

MR VALLY: At this stage were you made aware by OSEO that they were concerned about certain financial irregularities regarding transactions carried out by Dr Basson? We talking October 1993.

DR KNOBEL: Good heavens Mr Vally I have read a statement to you this morning Sir.

MR VALLY: Yes we have heard that. I just want you to confirm that yes or no?

DR KNOBEL: Yes.

MR VALLY: Fine. So there was reason to be concerned about Dr Basson's activities?

DR KNOBEL: Absolutely.

MR VALLY: And here you getting information that he is instructed by Dr Basson to make applicators which inject poison or shoot poison pellets into people and you say it doesn't concern Project Jotta. I don't need to take it further.

DR KNOBEL: Mr Vally, Mr Jan Lourens and I didn't discuss the gadgets and exactly what they could be used for and what their purpose were. He said to me that he had made certain gadgets and instruments. I wasn't even prepared to listen to what they were about. I didn't want to know about it. So I didn't have all the detail that you are now referring to. You are putting words in my mouth. I did not even discuss it with him.

MR VALLY: Well tell us what he told you?

DR KNOBEL: He said that he was a man with engineering background. That he could produce substances with engineering capability and that he was asked to make certain instruments and gadgets such as umbrellas and screwdrivers. I then said I don't want to know any more about it.

CHAIRPERSON: General I am finding difficulty. I am having a great difficulty following your evidence. I thought that we understood each other very well that you understood what he said but you felt that because of the nature of the information that he was giving to you it was of a nature that it must be reported to higher authority and even referred him to the d'Oliviera Unit. Now did he tell you, okay maybe let's forget about what he said - toxins and all that. Did he tell you something the nature of which you felt a crime is being committed? That it is a contravention of the law in this country which is why you referred him to d'Oliviera? Because I mean if a man comes to me and says: "I am making screwdrivers. I am a scientist. I making umbrellas." And then you say: "No I don't want to hear about it. Go and talk to the Attorney General." Now how would you come to the conclusion that this is a matter for the ears of the Attorney General? So let us understand exactly what it is that Lourens said to you the nature of which you felt it was something to be heard by an Attorney General who is charged with the duty in the country to establish whether crime has been committed and deal with the crime as such.

DR KNOBEL: Mr Chairman I will do my best to try and say to you what he said to me. But I will sum it up by saying that I understood him to say that he had developed instruments or gadgets or I have no other name that I can use for it, that could be used to either kill or maim individuals. We did not use, Mr Chairman if you will allow me to finish. He did not go into the detail of these gadgets being made specifically for toxins or for poisons or whatever the case may be.

CHAIRPERSON: No I think for purposes of our question and our understanding that is the critical part and I think the question by Mr Vally still follows. Here is a person who is working as a scientist in a project which you associate in some way or the other with projects that you are also aware of and he says: "I am being asked by Dr Basson to manufacture instruments that can kill or maim." I think his question is even if we accept your own version and for purposes of this enquiry I am prepared to accept your own version - is it not now when you look back something which you should have dealt with in a much more thorough-going fashion than you actually did?

DR KNOBEL: Yes I am prepared to agree to that Mr Chairman but it is with the wisdom of hindsight. At the time I did not consider it to be that urgent to attack and besides that I couldn't do anything more than bring it to the attention of my direct commanding officer. Remember I said this morning that we had already at that point had the meeting with National Intelligence. At that meeting

as I testified this morning National Intelligence indicated to me that they were investigating far more than the Office of Serious Economic Offences enquiry. So I, it is true I was beginning to realise that there was something amiss. I found myself in a difficult position with regard to General Liebenberg. I tried to test the water by seeing how he would react. Thereafter his position was taken over by General Meiring. The demarche situation began to appear and it was then in February the next year that I realised what the direct link was. And I testified to that effect this morning.

CHAIRPERSON: Mr Vally.

MR VALLY: And how did General Liebenberg react when you advised him of this?

DR KNOBEL: I testified this morning that he indicated to me what he had done on a number of occasions before to say: "This type of thing is dealt with by the d'Oliviera Commission. And as you well know up to this stage nobody has been prosecuted or proceedings been taken against by the d'Oliviera investigation on any so-called." And those were his words, "so-called third force activities." So he really pushed it off the table totally.

MR VALLY: You are aware of Dr Lourens' statement that General Liebenberg advised him: "I want my toys back"?

DR KNOBEL: Yes.

MR VALLY: And by that he was referring to?

DR KNOBEL: Correct.

MR VALLY: What was he referring to?

DR KNOBEL: He was referring to the gadgets that he had made for him.

MR VALLY: What else?

DR KNOBEL: No Sir I don't know what you.

MR VALLY: You not aware of the explosives?

DR KNOBEL: No Sir.

MR VALLY: The oval boxes which could explode?

DR KNOBEL: I am sorry I know nothing about that.

MR VALLY: The letter bomb mechanism?

DR KNOBEL: No Sir.

MR VALLY: Dr Lourens didn't tell you all these things?

DR KNOBEL: No.

MR VALLY: He did not tell you at all?

DR KNOBEL: Mr Vally I am trying to concentrate exactly on what he said to me. I am, I cannot recall him saying anything about - did you say letter bombs?

MR VALLY: Mechanism for a letter bomb?

DR KNOBEL: No I am not aware.

MR VALLY: I am referring to sheets of explosives?

DR KNOBEL: Not aware of that.

MR VALLY: I am referring to Omo boxes which were bobby trapped to explode?

DR KNOBEL: Mr Vally I have said to you already the minute he started talking about gadgets I indicated to him that I don't want to have this type of detail. He did not give me that type of detail.

MR VALLY: But he did tell you he told General Liebenberg about it?

DR KNOBEL: He did tell me. When I said that I don't know about this he indicated to me that he knew that I didn't know about it and he also knew where the instruction originated from. He said: "I was at a social function where General Liebenberg approached me and asked me 'Are you looking well after my toys?' Or: 'Are you hiding them?'" Words to that effect as I testified this morning.

MR VALLY: And General Liebenberg was head of Defence Force at the time?

DR KNOBEL: No Sir at that time I think he was the Commanding Officer of Special Forces. He was certainly the head of the Defence Force when I got the information. But he was referring to General Liebenberg as the Commanding Officer of Special Forces where he was working at that time.

MR VALLY: At the time when you got the information and you raised it with General Liebenberg he was head of the Defence Force?

DR KNOBEL: That is correct.

MR VALLY: So as far as you are aware up to the top most structure in the Defence Force knew about these killing instruments that he was manufacturing?

DR KNOBEL: Mr Vally (...intervention)

MR VALLY: As far as you are aware? Your impressions?

DR KNOBEL: I don't even agree with that statement.

MR VALLY: Fine.

DR KNOBEL: All that I had was that Dr Lourens indicated to me that General Liebenberg knew about this. When I tested the water with General Liebenberg he ignored it totally and said: "Man don't pay any attention to that nonsense it has being dealt with by the d'Oliviera Commission in the past and they have not prosecuted anybody." And that was that. So I can't say that I was aware that at the level of the chief of Defence Force he had known about it. I only had the story that Dr Jan Lourens told me.

MR VALLY: Well let's go on.

CHAIRPERSON: Excuse me Mr Vally. There are questions from the panel just to clarify issues.

MS SOOKA: General what was your impression about what Dr Lourens actually wanted from you by telling you this story?

DR KNOBEL: At the time I think he was concerned about his own personal position and he was uncertain as to whether he should take it any further. In that regard in my opinion I reassured him by saying there are authorities that you can go to with this and my advice to you is to take it to those authorities. At that time I was aware of the fact. In fact I was reminded of it constantly by General Liebenberg that there had been commissions appointed by the President of which the latest one after the Steyn Report was the d'Oliviera Commission. When he gave me this information I thought to myself that is the type of thing that obviously would resort under the d'Oliviera investigation. And that is why I said to him my opinion is that you should take it there.

MS SOOKA: You see I think we are having some difficulty with the fact that in October you already know of the cloud of suspicion that lies in the realm of what Dr Basson's activities related to. Here comes somebody to you who tells you that he is involved in making instruments responsible for killing. And you keep on affirming before us that you have acted correctly. And my inclination would be that you would actually go yourself to the Attorney General concerned and make a report to him of the conversation that takes place between you and Dr Lourens. I certainly would have done that. And so I find it even stranger that in your position, a man responsible for Dr Basson because he reports to you functionally, I think that is what you say in the report. And Dr Lourens is actually complaining to you about an instruction he receives from Dr Basson, some one under your care and supervision. And all you say to him is: "Go to see the Attorney General." But you yourself don't do anything more other than reporting to this committee.

DR KNOBEL: No I am sorry Ms Sooka I am sorry I did not do nothing. I confronted General Liebenberg. I thereafter informed General Meiring. That is my direct line of command. You may be right. If I look back now it might have been wiser for me to go directly to the Attorney General's office. But if you consider the position that you have in a state department like that it is not the normal channel of command and control that any officer in a defence force would follow. The right channel of command would be to go to the commanding officer. Now the fact that General Liebenberg had been mentioned that

concerned me certainly. As I said to you I tried to find out how he would react to it. I told you how he reacted. But thereafter when General Meiring took over as chief of the Defence Force I did inform him about that. But it wasn't until and I say that again, that is the truth whether it was unwise of me or not may be so. But that is the truth. It wasn't until we had the briefing from National Intelligence in February that we really realised that this was in fact proudly related to the project or around the project. And that is where the idea emerged of two channels of command and control which I have then shared with National Intelligence, with Chief of Defence Force, with the Minister of Defence and with the President.

CHAIRPERSON: What could have happened General if for instance you had called Basson and said: "Listen," and confront him and say, "now listen this is what I hear. Here is Lourens, this is what he says to me about you. What have you got to say? I don't believe it but I need to make sure at this stage that I have a clean house in which I am dealing."

DR KNOBEL: I understand your question Mr Chairman. I confronted Basson on many occasions before. Mainly about the financial abuse.

CHAIRPERSON: No I am asking about this particular thing. What could have been wrong if you had confronted him about this issue? I know that you testified earlier to say you know it was the sort of thing that you had no confirmation on and I think that is what you are implying also by saying it is only when in February you had sufficient briefing from NIS that you felt something was really amiss.

DR KNOBEL: That is correct.

CHAIRPERSON: But here is a, I mean you see part of the questions that I always ask is we are at a stage where we are dealing with a negotiations process. In fact in 1993 we had signed a Constitution which has got a charter of human rights and we are heralding in a society that was going to be premised on notions of democracy and human rights and whatever. And here you get told at that critical juncture that your people are manufacturing maiming and killing weapons and all you are telling us is that you couldn't confront the person who was being alleged to be behind that programme. All I want to ask at that time taking into account everything else what would have gone wrong if you had called Basson and confronted him?

DR KNOBEL: Mr Chairman I was trying to answer that question by saying to you that I had regularly confronted Basson in the past. I confronted him once again. I did not give him the information that Jan Lourens had given me. I

confronted him and said: "Are you certain that there is anything that you are doing inside this project which is illegal or criminal in nature?" And I testified to that effect this morning that he constantly indicated that he was certain that he was being confused with somebody else. With the wisdom of hindsight we may say that I should have acted immediately more strongly at that point. I realise that but the fact of the matter is exactly as I explained it to you this morning.

CHAIRPERSON: You see General the inference becomes irresistible that even at that stage you realised that this is something bad. This is something I ought not to sanction. And the inference is irresistible that you then reconcile yourself with that situation and said to yourself look I don't want to know. I don't want to know in fact I regret that I have known even as far as I have by allowing Lourens to talk to me in these circumstances. And I think the question I want to put to you is; don't you in fact think it was a dereliction of duty on your part given your position? Let me ask the question; did you investigate? Did you set an enquiry in motion that was going to establish the correctness or otherwise of what Lourens was saying so that if needs be as Surgeon-General you should take or initiate disciplinary proceedings against the people concerned? Don't tell me about the Attorney General. That is another arm, it deals with issues of State crime. There are I am sure procedures within your department where if people go beyond their mandate they are disciplined.

Did you on the basis of what Lourens had told you initiate an investigation that might have lead to disciplinary action and if not, why?

DR KNOBEL: Well the answer to the question is no I did not. And the reason why is because I was under the impression at the time and the fact that I had made it possible for Basson to be seen by National Intelligence personally and they could question him on their own would reveal whether this was true or not. And that is why I asked this morning that National Intelligence should also be asked to testify in this regard.

CHAIRPERSON: Did you, okay having done that we are in February now having been alarmed to the extent that you were by the NIS report did you initiate any disciplinary proceedings against Dr Basson, Dr Lourens or whoever was involved in that nefarious (...indistinct)?

DR KNOBEL: No I did not Mr Chairman and there was also a good reason for that.

CHAIRPERSON: Let us hear the reason for that?

DR KNOBEL: At that point I testified this morning, at that point the main issue was to deal with the demarche in South Africa's international position. This situation of Basson that was then being addressed by not only myself by National Intelligence, by the Chief of the Defence Force, by the Minister, by the President and very soon after by the new Minister, by the new President became an extremely difficult thing to handle. Even to the extent should he be re-employed to get him under control.

CHAIRPERSON: Now what was the nature of dealing with this matter? What was the end result? Was it being dealt with for purposes of keeping it under wraps because of the sort of signals that were coming out it is such a thing that - couldn't you have instituted an in camera disciplinary enquiry that would have dealt with this matter in a manner that shouldn't really now put you on your defence at this stage? Because we are sitting in times now when we can all see and say now look what sort of responsibility did this man carry on his shoulders? Now maybe if we understand the nature of the enquiry. When you say NIS and everybody else were dealing with this matter what was the end purpose? What was the purpose? Was it to contain it so that it does not get out there and jeopardise national security interests? Or what was the aim, was it to cover it up?

DR KNOBEL: No it was certainly not to cover it up because it was known to everybody who was then concerned Mr Chairman. But I will try and explain it to you in this way. Basson was a key figure in the process of discussing with the American and the British experts the details of our programme. Quite frankly the briefing I gave to the Americans and the British was the type of briefing that I had been given for how many times to all the new ministers, etc, etc. It was the briefing about the management and about the general direction and the guidelines that were given and how the process were mandated and that sort of thing. But in terms of the scientific work on the ground the only person who had that knowledge and insight and could be able to discuss it with the American experts and the British experts that had come with their teams was Basson personally.

CHAIRPERSON: Now let me ask a blunt question. Was there a fear perhaps that if the approach was one like for instance disciplinary action and stuff like that, that it would do more harm than good? That the man might flee the country and then expose the country to more danger than actually trying to contain it?

DR KNOBEL: Yes I think you have summed it up very well Mr Chairman that was very proudly what we had in the back of our minds.

CHAIRPERSON: Mr Vally.

DR RANDERA: Sorry General can I just get that clear because if I remember rightly what had come out of the Steyn Report that is December 1992 Brigadier Basson is one of the people actual singled out within that report for dismissal.

DR KNOBEL: Yes.

DR RANDERA: So in a sense the President had actually made a decision given all your concerns about proliferation and him going off to America or Iraq or Libya or wherever he would want to go to but a decision had already been made to dismiss him. Irrespective of the fact that he had actual headed the chemical and biological warfare programme. Irrespective of the fact that he was actually heading 7th Medical Battalion, that he was a cardiologist. All these concerns had been taken into consideration but he is brought in into the citizens force. You see I also have this concern. Here you are as the head of the medical side of the army and I remember very clearly your coming to the medical, the health hearings and I am sure you are very proud of what you have accomplished in the period that we are looking at. But you are told that the head of your, the person who is heading your 7th Medical Battalion, the person who is heading chemical and biological warfare may be involved in activities. In covert activities and yet you don't take any action. And I think that is what we are trying to understand here as to what was your actual frame of mind at the time. Because we are not dealing in the abstract here. We are dealing in a situation where out there in the media there are a number of reports coming out on third force activity. The President actually appoints one of the people from the military himself at the time. You get a report back. Seven months and not even seven months - ten months later because it is October 1993 that you say that Mr Lourens came to you. Ten months after General Steyn had said this person should be dismissed from the army and yet no action is taken besides a cursory discussion with General Liebenberg. Not even in an official capacity as you yourself said. And also the Intelligence Services had, had discussions with you. Did you share this information? Never mind the Attorney General. Did you share this information with the Intelligence Service?

DR KNOBEL: Yes I did later. At that time (...intervention)

DR RANDERA: At the time?

DR KNOBEL: No Sir I did not. At that time I was satisfied that Basson was persuaded and I explained to you this morning that I had some difficulty in persuading him to cooperate with National Intelligence. And I was assured in myself that they would now reveal or unravel whatever other activities he may

have been involved in. But I have to admit to you that maybe I should have acted more strongly at the time and it certainly looks like it with the wisdom of hindsight. But I am giving you the facts as they happened. I was at a loss as to how to deal more. If you say that I could have gone to d'Oliviera myself certainly I could have done that. I think it is not the type of thing that a person in the military environment does. The person goes to his direct commander, which I did. To make it clear to him that I was aware. I was becoming aware of something. Whether it was true or not I had no proof of what Dr Jan Lourens said to me. I had only the story that he told me. I was alarmed by the story. I told it to the Chief of Defence Force and immediately thereafter to his successor.

DR RANDERA: General what was the time period between informing General Liebenberg and then going to General Meiring?

DR KNOBEL: It was about a week later. I said this morning that after Dr Jan Lourens saw me General Liebenberg retired at the end of October. So it was within that period of two or three weeks that General Liebenberg retired. Immediately thereafter General Meiring took over. I explained to you this morning that I didn't have to tell General Meiring anything about the project. He was part of the CMC, he knew exactly what the broad guidelines were and the mandate was, etc, etc. And I informed him of this information that I had got from Lourens. So I was under the impression I had done as much as I could do at that stage. I agree with you that it would have been wiser now looking back to insist that there should be a board of enquiry as I explained right at the beginning of my testimony. All members in the medical service are not only under the disciplinary code but also under the professional code of conduct of the medical or other professions that they are registered with. You are right that would have been proudly wiser at the time. But we got caught up and when I say we, not only myself the whole Defence Force, the whole government got caught up in the demarche situation. In which this man played a key role. He was being offered to the American, the British I understood to expose to them exactly what our programmed was about so as to reassure the government about the legitimacy of the programme. They certainly commented otherwise on the programme but by that time, that was after February I was far more informed than I had been in October. By that time we shared that information with government and we said what have we have to do with Basson. If we get the testimony of National Intelligence they will confirm to you that one of the issues that was discussed was what do we do with this man. It was an issue that

was carried over to Mr Mandela also, what should he do with the man. You know exactly what happened afterwards when Mr Mandela approved that he be re-appointed there was an outcry in the country about the re-appointment. But it shows you in what difficulties the government was as to what to do with this man with the information that he has, with the background that he has.

DR RANDERA: General just one last question. Are you now saying that a decision is taken to dismiss Brigadier Basson by the President no lest and within the forces, Intelligence Services, Military Services, you were contravening an order?

DR KNOBEL: No Sir I don't (...intervention)

DR RANDERA: Because we not, in terms of the events that took place December 1992, these concerns that you expressing are post the decision. A decision has been taken already to dismiss the man.

DR KNOBEL: No Sir you are not correct there. He was dismissed as a member of the permanent force. He was placed on the citizen reserve which happens to everybody who is pensioned earlier. He was not actually dismissed, he was put on pension. But what is a fact is we discussed when I say we, Mr Mike Kennedy and I discussed with Mr de Klerk personally the fact that he was actually illegally or unlawfully dismissed or unlawfully put on pension. He was never charged with anything. He was never given a chance to give any account of the reasons or whatever. And the fact is when we discussed it with Mr de Klerk by the time the demarche took place we indicated to him this man is going to create a problem for us. We need to take him under control again. And Mr de Klerk did not want to do that and he said I will leave that for the new President to decide about and that is exactly what happened.

CHAIRPERSON: Ms Sooka. Sorry Mr Vally.

MS SOOKA: General is it possible that one of the reasons you didn't actually do anything about Mr Basson at the time Lourens came to see you is perhaps the suspicion that you already had that possibly what Basson was doing had been authorised by another chain of command other than yourself?

DR KNOBEL: Ms Sooka I think that realisation of what you are saying now that took place in February. What you are saying now is what I realised in February. That was when we had the briefing from National Intelligence along with the Minister of Defence.

MS SOOKA: Sorry just to, I mean I have heard what you have said but did it ever occur to you I mean the name of a general is mentioned, General Liebenberg you have discussed, you have informed us before that you

confronted him but you didn't actually mention that it was about him. Why was that? Why did you not say to General Liebenberg; "This man has come to me to tell me that on your instructions he is manufacturing this stuff and that he is being instructed to do it by Wouter Basson"?

DR KNOBEL: Yes I am trying to be quite honest with you I can't explain that to you but I simply say to you that at a very short date thereafter I said so to General Meiring that, that was the information I have.

CHAIRPERSON: But Meiring had not given an instruction to Wouter Basson?

DR KNOBEL: No I know that Mr Chairman.

CHAIRPERSON: See that is exactly why we are having a difficulty you know. You allow a person to - well you don't allow him but you know at a time when you could have effectively dealt with the thing by raising it with him you don't and you raise it with somebody else who can easily take the attitude; "Oh well it has nothing to do with me. I never gave that person an instruction." In fact if Meiring never did anything about it who can blame him.

DR KNOBEL: Mr Chairman I think that I may have made a misjudgement there but I was of the opinion that if there was any truth in it that General Liebenberg would have come out with it. He did not. He dismissed it. He ignored it. He reacted in such a way that I had some uncertainty in my mind whether it was true or not.

CHAIRPERSON: What would a cynic say? What would you say if a cynic say well you just took the attitude that: "Well it is clear now we are heading for an election and it may well be that the ANC are going to come in. Let that be their problem. We don't care."

DR KNOBEL: Mr Chairman I am sorry I cannot agree with you that a person in the civil service in my position had the responsibility to decide whether it would affect the election. That might have been considered at governmental level. I certainly didn't consider that as a factor. In fact I agreed that Mr Mandela should be informed as quickly as possible after the election. We knew that the balance of power was going to shift. And we were in, I was eager to get that under the attention of the new government.

And then Mr Chairman the new government had exactly the same problem.

MS SOOKA: I think that precisely is what concerns us. You see Mr de Klerk in his evidence before this Commission has said: "When this problem came to my notice I dismissed the man. The new government in fact re-hired him." But you are telling us in your evidence that as early as February the old government also had a problem with how they were going to account to other countries on this

programme. So you created the monster and you left it for a new government to deal with.

DR KNOBEL: Ms Sooka both of these are my governments. I have acted in the civil service in support of both governments. So I really do not accept saying that it was my government. Both governments were my governments. But let me say this quite categorically when it was brought to our attention in February Mr de Klerk was informed about this. Mr de Klerk was told that in fact the dismissal was not fair, was not based on judicial processes that had been followed and this man was in a position where he could actually sue the government as some of his colleagues have done since then. But the fact is it was then in the political domain. I said this morning the impression I got and I stand by that was that at that point the most important issue was deal with the demarche get that off the table. We can deal with the abuses or possible abuses along a different process.

And I was satisfied that it was now brought to the attention of everybody that I could possibly bring it to the attention to. Where the Chairman is correct I could have instigated a board of enquiry of my own but that would be far less important than what is taking place at governmental level surely.

MS SOOKA: May I just follow that up with one more question. Would it be fair to say that in reality you or the old government couldn't really afford to have this man placed in the permanent force because in reality he was needed to actually deal with the problems that had arisen. And so never mind the legal technicalities of his dismissal or his pensioning off. The reality is that control of this programme from a technological point of view rested solely with one person, Dr Basson.

DR KNOBEL: That is true.

MS SOOKA: Thank you.

CHAIRPERSON: Mr Vally.

MR VALLY: General Knobel we gather from your evidence that OSEO was aware in a letter dated the 8th of December to you, 8th of December 1992 to you that there may be certain financial improprieties regarding Dr Basson's activities?

DR KNOBEL: That is correct.

MR VALLY: You weren't aware of it before this date?

DR KNOBEL: No Sir I testified this morning that when I met with National Intelligence at that meeting on the 24 of September 1993 I briefed them also about a number of counter-intelligence reports and investigations that had taken place within the Defence Force.

MR VALLY: No the question is this that before a letter from OSEO - the Office for Serious Economic Offences on the 8th of December 1992 you as project manager for Project Jotta and Dr Basson who fell under you as project officer for Project Jotta, you were not aware of any financial improprieties on his part?

DR KNOBEL: No I have just confirmed that I was. I said that at the 24th of September meeting with National Intelligence I referred back to counter-intelligence reports prior to 1992 where he had been investigated by Chief of Staff Finance, by Chief of Staff Intelligence with regard to activities that he was involved in what originally was thought was to be part of the project and it was in fact not part of the project. It referred to the house of Murton, the Murton House position in Pretoria. It referred to the use of aircraft of - I forget now what the name of business was. I think Aeromed Services, words to that effect. Those things had been investigated before 1992 within the Defence Force by the Chief of Staff Intelligence and by the Chief of Staff Finance and they had dismissed it as not being part of the project or not being part of Defence Force. In fact they accepted the explanations that Basson had given them.

But the answer to your question is yes I was aware that there had been internal investigations in the Defence Force into possible activities by Basson in terms of financial gain.

MR VALLY: You state further, so you were aware already by 1991 there was some concern regarding money and therefore I assume you were more diligent thereafter?

DR KNOBEL: Oh yes Sir.

MR VALLY: You also state in your statement you read out this morning that during February 1994 and I quote you: -

"It was abundantly clear to both the Minister and myself that there were definite indications that Dr Basson had acted outside the mandate of the project and had probably abused capabilities that had been researched and developed in the project."

DR KNOBEL: That is correct.

MR VALLY: But if you look at TRC 28, 7th of May 1994 a letter from Dr Basson to you and he is still project officer of Jotta on the 7th of May 1994.

DR KNOBEL: I beg your pardon Mr Vally?

MR VALLY: I am sorry, TRC 28.

DR KNOBEL: You are saying that he was still project officer of Jotta that is not true.

MR VALLY: Well he signs his letter as W Basson, Project Officer Jotta, Brigadier and it is addressed to you, well your name is on the bottom of the letter - D B Knobel, Project Leader Jotta, Lieutenant General.

DR KNOBEL: He was certainly not the project officer any longer. He may have signed the letter like this and he may have been involved with the finalisation of this particular problem that existed at the time but the project officer from the 1st of March was Colonel Ben Steyn of 1993.

MR VALLY: I see because this letter is headed "Extremely secret. Only copy." It has got "Enquiries; Brigadier W Basson" His address is given as SAMS head office and a private bag in (...indistinct) is set out there. All indications are on the face of this letter that he is still intensively involved in this project. Did you ever refute this? Did you ever write a letter to him saying: "Please refrain from calling yourself the project officer of Operation Jotta"? Did you ever react in that way?

DR KNOBEL: No quite honestly I didn't notice this and I would have reacted if necessary but I think if I see this letter I remember it. It was in answer to part of the investigation that was being carried out about the financial abuses and we wanted an explanation from him and this is the explanation that he had given at that time. I believe if you give me time I will go back to the CMC meetings and I believe it was discussed there. It is incorrect for him to write down here project officer. He was certainly not project officer any longer.

MR VALLY: Well let's go on. I want to go through this letter with you. Firstly the first paragraph. It says:

" Final report,

sorry it is in Afrikaans. I will read in Afrikaans to you.

"Finale verslag VSA dollar voorskot."

Can you just briefly tell us what this is all about? Very briefly please?

DR KNOBEL: No I am afraid Mr Chairman it is not possible. It is a highly complexed story that is being investigated by the OSEO and I would need the help of OSEO to give you the exact explanation of this.

MR VALLY: Alright.

DR KNOBEL: But I do know this that he had required some cash in dollars which had been given to him. As he says there on the 28th November 1991.

MR VALLY: Now that is the first question.

DR KNOBEL: And it was required to deal with the flights there etc as he explains here.

MR VALLY: Fine. My first question is by 1991 there were people in the Defence Force who had already heard of certain financial improprieties regarding Dr Basson?

DR KNOBEL: That is correct.

MR VALLY: But he was still given a lump sum of dollars.

DR KNOBEL: That is correct.

MR VALLY: To spend and then account for and he accounts for it on the 7th of May 1994. As I see from this report.

DR KNOBEL: Yes that is not correct. The co-ordinating management committee approved the availability of this sum of money. The questions arose at a much later date as to exactly what the expenditure of that money was about. And it was part of the Office of Serious Economic Offences' investigation and he was asked for an explanation so that I could give the information to the OSEO. And I think I can confirm that by going back into all the files and the OSEO investigation. And that was when he wrote this letter.

MR VALLY: We will come back to that because I want to go through this letter with you. The co-ordinating committee also knew the allegations of financial impropriety regarding Dr Basson?

DR KNOBEL: Oh yes.

MR VALLY: But they were still at this stage and I will go through the periods with you, but in November 1991 although they were aware they were still willing to make an advance of a large sum in dollars available to him.

DR KNOBEL: On the 28th of November 1991?

MR VALLY: Well for example.

DR KNOBEL: Yes certainly.

MR VALLY: They did. Alright he says and I won't read the whole letter but I will quote verbatim from it. He was given a certain;

"dollar cash amount required for the next six months for flights through Africa to Europe. For the transporting of samples and material."

Are you aware number one that there were flights through Africa to Europe transporting samples I suppose you could call it?

DR KNOBEL: Yes.

MR VALLY: Samples and material?

DR KNOBEL: That is correct yes we were aware of it.

MR VALLY: Was this a two-way trip? Were things coming in as well as things going out?

DR KNOBEL: No Mr Vally my impression was these were substances that we were obtaining in front agents and so on and within Europe and bringing back to South Africa.

MR VALLY: You are aware that Dr Lourens said he had taken one of his applicators through to Britain at the request of Dr Basson?

DR KNOBEL: I was not aware of that at all.

MR VALLY: Did Dr Lourens ever tell you that?

DR KNOBEL: No Sir.

MR VALLY: Alright. It goes on: -

"To pay for the purchasing of fuel."

Are we to assume that he flew in his own plane or a chartered plane?

DR KNOBEL: A chartered plane probably.

MR VALLY: And that was common occurrence that Dr Wouter Basson flew in chartered planes?

DR KNOBEL: Yes in fact it was policy. It was policy that no dangerous substances like chemical substance could be flown on international flights. It had to be done in private flights or on chartered flights.

MR VALLY: Fine. It goes on: -

"Landing fees and "discretionary costs." "Cash payments to airport security officials for procedures with regard to clearances and searches, to make this proceed smoothly."

What you are in fact saying is that there were bribes to make sure that your plane was not searched?

DR KNOBEL: That is correct. His plane.

MR VALLY: His plane was not searched. And it says an amount of 75 000 US dollars is obtained in cash from an HSI front for this purpose.

DR KNOBEL: That is correct.

MR VALLY: HSI?

DR KNOBEL: Chief of Staff Intelligence.

MR VALLY: And that is the same General Jophar van der Westhuizen?

DR KNOBEL: Mr Vally yes I think it is but I would like to just confirm exactly when General van der Westhuizen was replaced by General Vebeek. We need to check that date but certainly it was either General van der Westhuizen or General Vebeek.

MR VALLY: Well we know in terms of TRC 14 which you claim was not accurate which is signed by C P van der Westhuizen.

DR KNOBEL: Is that the same date?

MR VALLY: It is in March 1992.

DR KNOBEL: Well that doesn't prove that it was still General van der Westhuizen.

MR VALLY: Right but we know.

DR KNOBEL: At some point he was replaced by General Vebeek.

MR VALLY: The issue is this; it is referred to as an HSI - Chief of Staff Intelligence front company and it says (pass load flights.)

DR KNOBEL: That is correct.

MR VALLY: That Dr Wouter Basson got 75 000 dollars upfront from them.

DR KNOBEL: That is correct.

MR VALLY: We know according to this letter TRC 14 that Lieutenant General C P van der Westhuizen appeared to have some knowledge of Operation Jotta.

DR KNOBEL: He was a member of the co-ordinating management committee. He had full knowledge of it.

MR VALLY: Well either he had full knowledge or he didn't because you very strongly disagreed with TRC 14 in that you said it was not correct that for example General Neethling was involved.

DR KNOBEL: Mr Vally let me try and explain that again as I tried to explain it to you the other day. The Chief of Staff Intelligence was a member of the co-ordinating management committee. He was responsible for security of the project. He has field workers who is not informed about the project but he instructs them to provide information about what they find in the field because that is the only way he can determine whether there is security leaks within the organisation of the project. This is the kind of report that comes back to him and he brings it to my attention. This is what the field workers of the Intelligence community thinks about the Defence Force and then particularly

here with regard to Project Jotta. This is what they have picked up on the ground from sources and from discussions that they have heard. This gives us an idea of whether security is being breached or not. I am not saying that Jophar van der Westhuizen personally didn't know about the project. I am saying this is what he sends to me as a report from his field workers. You know (...intervention)

MR VALLY: Alright let's just stop right there. You have got TRC 14 in front of you?

DR KNOBEL: Yes.

MR VALLY: Fine look at paragraph 22 page 6. I will read it to you: -

"Dr Basson also mentioned that Major General Lothar Neethling was fully informed regarding Project Jotta."

Let's just stop there.

DR KNOBEL: Which paragraph is that please?

MR VALLY: I beg your pardon. Paragraph 22 page 6, the top of the page.

DR KNOBEL: Yes I have got it thank you.

MR VALLY: This wasn't a field worker. It wasn't one of his Intelligence officers running around doing investigations. General Jophar van der Westhuizen says Dr Basson also mentioned. Now is there a better reason? I mean clearly he is in a co-ordinating committee or his predecessor or his successor you say depending on the dates but we talking 1992 now. We got a letter TRC 28 which says in 1991 75 000 dollars was forwarded to Dr Basson by a front company. It doesn't say a military front company. It says particularly a front company of the Chief of Staff Intelligence. Is that right?

DR KNOBEL: That is correct.

MR VALLY: It appears to me as if what he alleges in paragraph 22 of TRC 14 is based on inside information. A personal report from Dr Basson to him.

DR KNOBEL: Mr Vally I cannot comment on what you say at the moment because I didn't originate this report. I would suggest that we should get General van der Westhuizen to come and explain how the Intelligence community functioned. A counter-intelligence report within a single department of the Defence Force or with a single compartment of the Defence Force, namely the Intelligence compartment works separately from the operational compartment. And I think the CSI front that we are talking about here Pastlos Flights would have been utilised within the CSI operations possibly even without the knowledge of the counter-intelligence side. The explanation of this is the best that I can give you. I think that you should maybe consult with other

Intelligence Services like National Intelligence. They have the same sort of situation there.

MR VALLY: Let us go on. All I am proposing to you is that Chief of Staff Intelligence was in the inside in relation to Project Jotta.

DR KNOBEL: Absolutely.

MR VALLY: And information that they would put out or he would put out is based on insider's knowledge. Based on what it says expressly in the letter.

DR KNOBEL: I hear what you say. I can assure you that this sort of report which is sent exclusively to the Chief of Defence Force and to myself would be discussed at a CMC and we would oppose it if we didn't agree with it.

MR VALLY: Do you have anything in writing to show us this?

DR KNOBEL: Unfortunately not at that time. I explained to you that I kept every CMC meeting since the pensioning of Dr Basson. Every meeting that was kept by Colonel Ben Steyn I kept and you have them in your possession at the moment. But the meetings prior to that and certainly when this happened is not available.

MR VALLY: Well let's go on. Paragraph (A) I am looking at TRC 28 now. You have that with you?

DR KNOBEL: Yes I do have it.

MR VALLY: We have got 12 000 dollars being paid to the security head of the airport in Njamina. I assume that is in Chad. Do you see that?

DR KNOBEL: Yes I see that. I don't know whether it is in Chad or not.

MR VALLY: Any receipts, any proof whatsoever that this happened?

DR KNOBEL: Just repeat your question?

MR VALLY: Do you have any proof that this in fact happened? That the security head at Njamina airport in December 1991 was paid 12 000 dollars?

DR KNOBEL: Mr Vally there are 14 trunks of financial documents and statements within the possession of National Intelligence which has been made available to the Office of Serious Economic Offences investigation in order to determine exactly what you are asking me now.

MR VALLY: General Knobel let's put it in context. We have an utmost secret, highly secret letter it says only copy, it is addressed to you by Brigadier Basson. I have pointed out he calls himself Project Leader Project Jotta and you say that is incorrect.

DR KNOBEL: Yes that is incorrect.

MR VALLY: Fine. He addresses you as Project Manager.

DR KNOBEL: Which is true.

MR VALLY: You tell us that this is an explanation of certain monies which were given to him which were queried. I have asked you a simple question. If this is his explanation as to how the money was spent did you find this acceptable?

DR KNOBEL: No I did not. I took this information in my co-operation with the Office of Serious Economic Offences to them and I said: "This is what he tells me, this is how he explains it." And they followed it up in an investigation along with the Chief of Staff Finance into all the documents that we had in our possession with regard to all financial transactions.

MR VALLY: Fine okay we will quickly go through some of the items. Unfortunately not all of them have dates. (B) 5000 dollars is paid to customs officials at Duala - I am not sure where that is, to prevent a search of the aeroplane. Can you confirm that, that ever happened?

DR KNOBEL: I personally cannot confirm it but I see it here as a report from him.

MR VALLY: Right.

DR KNOBEL: I confirm that I saw it as (...indistinct)

MR VALLY: He was accountable to you of course?

DR KNOBEL: Yes he was.

MR VALLY: (C) 10 000 dollars are paid to Croatian border guards and he says again; "To allow the project officer," and I assume he is referring to himself, "in September 1993 to enter Croatia." Do you see that?

DR KNOBEL: Yes I see it.

MR VALLY: Under (D) another 10 000 dollars is allegedly paid to officials of the Croatian army to arrange appointments for the project officer.

DR KNOBEL: Yes that is correct.

MR VALLY: Again he is calling himself, right through he is calling himself the project officer and he is making allegations of certain sums of money.

DR KNOBEL: Yes Sir.

MR VALLY: Under (E) 36 000 dollars on the 26th of March 1994.

DR KNOBEL: Yes.

MR VALLY: He has paid for the costs of a Dr D Choo.

DR KNOBEL: That is correct.

MR VALLY: During the arrest of the project officer in Switzerland in December 1993?

DR KNOBEL: Yes.

MR VALLY: And then he breaks down how the 36 000 dollars is made up. Do you see that?

DR KNOBEL: Yes Sir.

MR VALLY: Now in February 1994 you were absolutely certain that something is very seriously wrong regarding Dr Basson's activities?

DR KNOBEL: That is correct around the financial aspects.

MR VALLY: Oh no, no, no.

DR KNOBEL: Just say again?

MR VALLY: 1991 you were concerned and in December 1992 you got a letter from OSEO by this stage in February 1994.

DR KNOBEL: Yes I am sorry you are quite right. I was then very concerned.

MR VALLY: You talked about abuses of the project?

DR KNOBEL: Yes.

MR VALLY: How is it that Dr or Brigadier Basson in March 1994 is able to have at his disposal the sum of 36 000 US dollars to pay this Dr Choo?

DR KNOBEL: Mr Vally if you would refer to documents that I have given you this morning namely the minutes of the CMC that took place in and around that time. That is in Appendix J you will see that we have two meetings after that date; the 2nd of December of 1994 and we have the next meeting held on the 9th of January 1995. I will refer to that just now.

In March 1993, rather in February 1993 when Dr Basson brought to our attention the problem that had arisen in Croatia. I indicated to you this morning in my testimony that General Liebenberg approved that he be allowed to deal with that situation. At the same time also with other monies and other accounts that were still in existence within Europe which had to be cancelled and funds of which had to be returned to South Africa. That part of the project nobody else, not Colonel Steyn nor I myself had any knowledge of how those accounts had been established, what monies were in it and how it should be returned to South Africa. General Liebenberg approved that Dr Basson could be utilised in his citizen force capacity to deal with that.

The fact that he now says he is acting as the project officer is certainly misleading because Colonel Steyn was the project officer from the 1st of March.

MR VALLY: Let me hear you correctly.

DR KNOBEL: Let me just finish please?

MR VALLY: Alright fine.

DR KNOBEL: If you now look at this statement here. This is a statement of expenses that he had incurred and he signs it as project officer incorrectly. He

should have written down there previous project officer or whatever the case may be. But this is then submitted to the OSEO investigation as part of the information that he is now giving in terms of questions that they are also asking.

But it is also mentioned within the CMC meeting and you will look at the CMC meeting of the 2nd of December 1994 from Appendix J you will see that under the heading: Outstanding claims at paragraph 3 there is W Basson and he explains some of the costs that he incurred in terms of his travelling fees, etc, etc which was incurred with relation to the Croatian situation and with regards to the arrest. He was arrested in Switzerland as I indicated before.

And that was considered to be reasonable by the CMC. Here you see exactly who was on the CMC; the Chief of Staff Finance was there, the Chief of Staff Intelligence was there, the Brigadier from the financial section of the Defence Force was there and Colonel Steyn as the project officer was there. And some of these expenses were then approved there. I am saying to you - I am not necessarily saying that all the expenses that are have included in this particular letter are addressed there but I am illustrating to you that those kind of expenses were approved by the CMC.

MR VALLY: You see and on the CMC I see Brigadier Meiring, yourself.

DR KNOBEL: No General Meiring.

MR VALLY: I beg your pardon, General Meiring I beg your pardon; Lieutenant General Knobel that is yourself, Lieutenant General Verbeek, General Major Broker.

DR KNOBEL: Ja that is exactly what I have now read to you I just mentioned the posts that they occupied.

MR VALLY: Brigadier Koertzen.

DR KNOBEL: That is correct.

MR VALLY: And Brigadier Basson.

DR KNOBEL: That is correct.

MR VALLY: And Colonel Steyn.

DR KNOBEL: Yes.

MR VALLY: The question I have to ask you is you believe he is responsible for all these improprieties, there allegations of financial improprieties from 1991. You are worried that he abused the programme and you are convinced of this by February 1994. This is a letter dated, the one I have read to you now TRC 28 is dated 7th of May 1994. These minutes you are now referring me to are dated 2nd of December 1994 which approves the total sum of R240 000.

DR KNOBEL: Yes.

MR VALLY: To be given to Brigadier Basson. How seriously did you take these allegations against Brigadier Basson if you were still willing to pay him in December 1994? And this is a new document we still have to go through them. R240 000?

DR KNOBEL: No I am afraid there is a misunderstanding Mr Vally. Brigadier Basson's activities during that year was to finalise aspects, financial aspects around the project with regards to the Croatian issue, with regards to what had happened in Switzerland. He was arrested, he incurred some expenses in terms of his arrest. The Defence Force took responsibility for all those expenses and for his legal support, etc that was given to him. He was asked to put in front of the CMC, in fact in front of the Chief of Defence Force the expenses that he has incurred and then he was reimbursed after it was properly evaluated by the Chief of Staff Finance. And here you see specifically Brigadier Koertzen he was the man who dealt exactly with those sort of funds of the project.

At the same time all this information had been available to the OSEO investigation and they are still conducting their investigation at this very moment. If they should find that there were expenses incurred by him which were unlawful or criminal they will certainly come out with that finding. And I will support them in that investigation.

MR VALLY: Well we will come back to that because that talks about money being given to him and TRC 28 the 7th of May 1994 letter refers to an advance given to him which he is trying to justify.

DR KNOBEL: No I understand what you saying but it also says that it was from CSI and I am not entirely sure whether those funds are project funds or CSI's own funds. And I think that type of information we can only get from CSI.

MR VALLY: Well let's go on. This is now May 1994 we are looking under (E). We talked about 36 000 dollars given to Dr Choo and under (i) 2500 dollars are legal costs. Under (ii) you say the pre-active closing. I assume that is for pro-active?

DR KNOBEL: Yes that is correct.

MR VALLY: Closing of accounts and cancellation of "bewaar kluis." Did you have safety deposit boxes?

DR KNOBEL: I beg your pardon?

MR VALLY: What is "bewaar kluis" referred to here? I am looking at (ii) (E). TRC 28

DR KNOBEL: Yes, no I am looking at that.

MR VALLY: Well let me read the whole sentence and you can explain to us what it was: -

"The pro-active closing of accounts and cancellation of safes which could associate him with the project officer in case of investigations by the Swiss police. At this stage he was unsure of what the police were investigating or what they had investigated and which compromising documentation they had received from the project officer."

Do you have any knowledge of this?

DR KNOBEL: No certainly at the time we were informed. I was informed to my satisfaction and I was also assisted in this regard by CSF as I have always been in all the financial transactions of the project. And as I have said to you already we had taken it to the CMC for their final approval.

MR VALLY: We are talking about the details of what actually they were hiding from the Swiss police.

DR KNOBEL: No if you saying was I informed about the detail. Not more than what you see in front of you here. But quite frankly we need Dr Basson to explain to us exactly what he means by (...indistinct)

MR VALLY: So you didn't know?

DR KNOBEL: No Sir.

MS SOOKA: ...(inaudible) ask what they were?

DR KNOBEL: Oh yes Ms Sooka please you must understand the project officer had a free hand into how he established accounts in Europe within a broad guideline which had been approved by the Minister and which had been approved by the co-ordinating management committee. What he did on the ground to hide the fact that the client behind these transactions was in fact the South African Defence Force was to shift accounts around into various other accounts and so on to make it untraceable back to the Defence Force. These are the type of transactions that he carried out there. This is the subject of the OSEO investigation. And that is why I said at the beginning we must allow that investigation to unravel this and then ultimately explain to us what exactly he did. I am concerned about this like you are but at that time I had the backing of the co-ordinating management committee. I had on that committee co-opted Brigadier Koertzen who was the officer at the Chief of Staff Finance's offices who looked after the transactions of the project. When the OSEO investigation started I immediately asked Brigadier Koertzen to be totally involved in the investigation and to give them explanations and answers to every question that they ask here. What is more the financial officer of the project which was a man

called Twita who has all the documents that are contained in the 14 trunks, all of that has been made available to the Office of Serious Economic Offences and they have been working on unravelling that now for 5 years and they are not yet in a position to come up with final charges. I have great difficulty in saying more than what I have just said to you now. The record is here I don't deny it. It is correct. I dealt with it by taking it to the CMC. The CMC approved the payment of the expenses.

MR VALLY: Mr Vally.

MR VALLY: Thank you. I am going through this in detail for a reason but I will explain that to you right now. You talk about the destruction of two hard drives which may have information regarding the project officer's previous purchases and research activities in Switzerland.

DR KNOBEL: Yes Sir.

MR VALLY: In order that the police do not get their hands on it and there is a sum of 28 000 dollars for that.

DR KNOBEL: That is correct.

MR VALLY: And you talk about the balance under (F) 1500 dollars which the project officer used to travel by car through Europe to go to the trial and thereafter to attempt to search for some person called Jaco Matt.

DR KNOBEL: That is correct.

MR VALLY: Now you have clearly indicated to us that you had no knowledge of the financial dealings. You didn't know which accounts they were. You didn't know how much there was in those accounts. Is that correct?

DR KNOBEL: No I didn't say that Mr Vally. I said (...intervention)

MR VALLY: Alright tell us the extent of your knowledge of the financial affairs?

DR KNOBEL: Mr Vally the accounts opened in Europe had to be approved by the Minister. In the documentation that was given to the Office of Serious Economic Offences that approval, the letter of approval and exactly how it functioned was drawn up by Brigadier Koertzen, handed over to me and I handed over to the OSEO so that they had the accounts that had been approved at ministerial level.

MR VALLY: My question is this (...intervention)

DR KNOBEL: Please let me just finish?

MR VALLY: No, no maybe if you understand my question before you continue. You were the project manager for operation Jotta. You personally in your capacity as Surgeon-General under which 7th Battalion fell, you in your

capacity as project manager for operation Jotta - what knowledge did you have of the financial dealings of Dr Wouter Basson round about in connection with directly or indirectly operation Jotta? That is my question.

DR KNOBEL: You talking about detailed knowledge of what had happened on the ground ...(inaudible)?

MR VALLY: Well for example did you know of the 75 000 dollars given to Dr Wouter Basson?

DR KNOBEL: He reported that to me, he explained it to me and then I knew about it certainly.

MR VALLY: So you didn't know about it before that?

DR KNOBEL: No Sir.

MR VALLY: Yet you were his project manager?

DR KNOBEL: As far as, this emerged - no Sir remember the freedom of movement that Dr Basson had with regards to dealing with issues on the ground when they emerged to try and regain the funds that had been lost in the Croatian transaction was given to him directly by General Liebenberg. When he came back and he explained to us in this letter exactly how he had expended those funds it was dealt with at the CMC. Unfortunately by that time General Liebenberg wasn't here any more. But it was certainly in the time when General Liebenberg agreed that he could go and unravel the situation with the Croatian issue.

The fact that I have great difficulty in explaining exactly what he had done and whether he had done it I dealt with as follows. The co-ordinating management committee had a financial work group which was the Chief of Staff Finance, the Chief of Staff and myself and the project officer. Originally with Brigadier Basson, later on Colonel Steyn. This sort of thing would have been discussed at that level and certainly Brigadier Koertzen who is co-opted to this meeting to help us unravel this is sitting there with us saying what impression he had of this. I think if we want to really find out exactly what each of these transactions were we need to have a report from him and we need to speak to the Office of Serious Economic Offences and find out what they have discovered about this.

MR VALLY: So you yourself cannot?

DR KNOBEL: I have great difficulty in answering this in more detail than that.

MR VALLY: And you are saying that we should refer to the co-ordinating committee and Brigadier Koertzen?

DR KNOBEL: Yes.

MR VALLY: Is that correct?

DR KNOBEL: Yes Sir.

MR VALLY: Well let's look at paragraph 2: -

"It is requested that these payments,"
and again your abbreviation. What does that abbreviation stand for?

DR KNOBEL: Due to.

MR VALLY: Thank you.

"Due to the lack of proof or evidence is certified by the project leader."
That is yourself?

DR KNOBEL: That is correct.

"...as expenses incurred in the interest of the

DR KNOBEL: That is correct.

MR VALLY: So you were asked to certify this as justifiable expenses for the project?

DR KNOBEL: Yes Sir.

MR VALLY: Which you go on and do.

DR KNOBEL: Yes Sir.

MR VALLY: On that same letter.

DR KNOBEL: Yes Sir.

MR VALLY: Do you see the last sentence underneath W Basson Project officer Jotta, Brigadier it says: -

"Abovementioned payments are certified as incurred in the interest of the project."

What basis did you have to say that this was in the interest of the project?

DR KNOBEL: I had the basis of discussing it with the financial committee which had the Chief of Staff Finance and Brigadier Koertzen and the Chief of Staff of the Defence Force that discussed this with me and said you can go ahead and you can sign it. And we then discussed it at the CMC where the Chief of the Defence Force was also present and where the acting Chief of Staff Finance was present and there the approval was given about the refund or the repayment of funds that Brigadier Wouter Basson had expended.

MR VALLY: You see our concern by (...intervention)

CHAIRPERSON: Dr Wendy Orr.

DR ORR: General Knobel the fact that you signed approval of these expenses and that the CMC agreed with you that they were appropriate expenses seems to

indicate to me that it was common practice for government funds to be used for bribes. Is that an appropriate conclusion to draw?

DR KNOBEL: Yes it was certainly common practice for bribes to be paid to be able to get the substances we required for the project. That is true.

DR ORR: Was this only within the context of Project Coast?

DR KNOBEL: Well I was only aware or I was only responsible for Project Coast. I am not aware of the other projects that the Defence Force had at that time but I should imagine that it applied generally.

DR ORR: Thank you.

CHAIRPERSON: Mr Vally continue.

MR VALLY: I put to you that the details of the project such as flights via Njamina or bribing people there or bribing people at Duala, bribing people in Croatia and the purpose for which the bribes were given wasn't within the knowledge of anyone except Dr Wouter Basson.

DR KNOBEL: It was left at the discretion of the project officer.

MR VALLY: Here is a man you concerned about his financial improprieties in 1991, you say in February 1992 that you were absolutely convinced that he acted outside the mandate of the project and had probably abused capabilities yet you accept his discretion in May 1994 and certify that the expenses he claims are correct.

DR KNOBEL: Having been supported by Chief of Staff Finance and Brigadier Koertzen in an analysis of that I certainly did that.

MR VALLY: Well ultimately you were the chief accounting officer.

DR KNOBEL: No I am not Sir. The Chief of the Defence Force is the chief accounting officer.

MR VALLY: Oh I see I beg your pardon. Of Operation Jotta?

DR KNOBEL: Of any operation within the Defence Force.

MR VALLY: Fine. Well let's move on. You personally didn't have knowledge of financial dealings. You are not a chemist are you?

DR KNOBEL: No Sir.

MR VALLY: You are not a microbiologist?

DR KNOBEL: No Sir.

MR VALLY: So on the technical side involving the chemical and biological warfare you would have to accept Dr Basson's word?

DR KNOBEL: That is correct.

MR VALLY: So what control did you have of this project whatsoever? You didn't know about the finances. You didn't know about the chemistry. You didn't

know about the biology. If Dr Wouter Basson was to lie to you would you know he is lying?

DR KNOBEL: Well Mr Vally I would like to say to you that if you are in a position of the chief of an arm of service where you have 27 different statutory professions, where you have all the other State functions - personnel, logistics, finance and Intelligence and operations. And where you have to do management services you have no choice other than to rely on experts in a particular field. I do that exactly as I think this Commission operates. This Commission and the Commissioners have to rely on their experts and their field workers to advise them and to guide them. It would be totally impossible for an organisation like the medical service to have at its head somebody who can deal with everyone of the issues on his own personal basis. It is not possible.

So what I am saying to you is here is a man who became a brigadier at a very young age just before I became Surgeon-General. He obviously had the trust of the entire Defence Force and of the Cabinet because that type of appointment is approved at that kind of level. He had the total support of my predecessor. The system that was created to run this project and the way that he had operated was then running already for 8 years when I took over. It is quite impossible to then begin to question the way that he carries out his dealings. His word was accepted. I say that and it is true. His word was accepted not only by me but also by the co-ordinating management committee.

I said to you although I was project manager the control over the project was done by a committee. Whether it was wise or not I don't know. But the committee shared the responsibility. The Chief of the Defence Force was the chairman of the committee and it had three sub-committees. The one was designed to look after security. The second one was designed to look after financial affairs and the third one was the sub-committee of which Brigadier Basson was the chairman that was the technical committee that dealt with the actual research and development at grassroots level or ground floor level.

MR VALLY: So the reports that were given to President Mandela after the second demarche was based on what you were advised regarding the technical aspects by Brigadier Basson?

DR KNOBEL: Yes Sir. And what had emerged with the discussions (...intervention)

MR VALLY: And when was this again? Will you remind us?

DR KNOBEL: When Mr Mandela was President?

MR VALLY: Yes.

DR KNOBEL: On the project?

MR VALLY: Yes.

DR KNOBEL: I believe it was in August 1994.

MR VALLY: When in February 1994 you already believed that Dr Wouter Basson had abused the project.

DR KNOBEL: And I conveyed that to President Mandela.

MR VALLY: But your only basis for informing President Mandela is what Brigadier Basson advised you because you have no knowledge on chemistry and biology.

DR KNOBEL: No Sir. No, no, no Sir I am sorry that is not true.

MR VALLY: I see.

DR KNOBEL: At that stage I was being given all the support also from the OSEO to inform President Mandela about what they were beginning to discover and beginning to emerge.

MR VALLY: My question is this; as regards the biological and the chemical component of the Chemical and Biological Warfare Programme of the South African Defence Force established amongst other front companies Delta G, Roodeplaat under the 7th Battalion whose officer commanding (...intervention)

DR KNOBEL: Not under 7th Battalion. I am sorry it was not part of 7th Battalion.

MR VALLY: I am sorry. Alright fine. Under the project officer Brigadier Basson.

DR KNOBEL: Correct.

MR VALLY: Your information to President Mandela on the Chemical and Biological Warfare aspects was based on what Brigadier Basson told you?

DR KNOBEL: Originally certainly but (...intervention)

MR VALLY: I am talking August 1994 a report to President Mandela.

DR KNOBEL: No Sir I am sorry I don't agree with that.

MR VALLY: What was it based on?

DR KNOBEL: It was based on the collective information that I had gathered over the years and have learnt from my predecessor and from the other members of the CMC and from a new project officer and from the OSEO investigation and from National Intelligence.

MR VALLY: I see. And who did you rely on for technical information on chemical and biological warfare?

DR KNOBEL: Certainly in that regard that was Dr Basson. To a lesser extent Colonel Steyn.

MR VALLY: So in that regard on the technical aspects of chemical and biological warfare we are talking about technical aspects we talking about research?

DR KNOBEL: Yes.

MR VALLY: We talking about development?

DR KNOBEL: Correct.

MR VALLY: We talking about production?

DR KNOBEL: Yes.

MR VALLY: Of chemical and biological weapons you got that from Dr Basson?

DR KNOBEL: That is correct.

MR VALLY: In August 1994? Which is when you made a report?

DR KNOBEL: Mr Vally no you are right in a sense the extended detail that was given also to the TRC at a later stage in the briefing that I gave the TRC I had gone back to Dr Basson particularly for the parliamentary group presentations that I had to make. I had to make a presentation to (...intervention)

MR VALLY: When was this?

DR KNOBEL: I have it here somewhere but let me just finish what I am trying to say to you.

MR VALLY: Sure.

DR KNOBEL: Whenever we had to make a presentation after Dr Basson had left the Defence Force and after he had been pensioned off he was still in the citizen force. He was later on re-appointed in the permanent establishment. Not in the permanent force but in the full time component of the Defence Force as a civilian, as a physician. It is true to say that I had made use of his knowledge to give me a further explanation into the details of the substances that had been studied under some of the headings that I gave you. That certainly included the presentation that I made for you in January 1997. It certainly if you look at that document you will see that it is also based on the document that was given or the explanation that was given to the parliamentary committee on public accounts.

So your question is right. I had to rely heavily on him to give me details about the technical aspects. But certainly Colonel Steyn who is not a chemist. Who is a doctor who has become an anaesthetist he gained quite a lot of knowledge with his experience in terms of the chemical weapons convention and

the biological convention and he had to help me with some of the technical details.

And in this hearing I have been referring a number of times to the need that I have that Professor Forbes can advise us about some of the technical details.

MR VALLY: General I understand that (...intervention)

For the record Professor Peter Forbes has had absolutely nothing to do with advising you about any issue whatsoever.

DR KNOBEL: I am not saying advising me I am saying (...intervention)

MR VALLY: No, no just for the record would you confirm that?

DR KNOBEL: Yes.

MR VALLY: Thanks.

DR KNOBEL: I didn't say that. I said advising the TRC with regard to some of these.

MR VALLY: Fair enough I hear that but you are presently on the sub-committee or chairing the sub-committee of the National Chemical Anti-proliferation Council on chemical and biological weapons.

DR KNOBEL: Yes that is correct.

MR VALLY: Are you still taking advice from Brigadier Basson or Dr Basson?

DR KNOBEL: Of course not. No of course not. He is not a member of that sub-committee.

MR VALLY: So if you have no knowledge or little knowledge of the technical aspects of chemical and biological warfare on what basis are you chairing this sub-committee?

DR KNOBEL: Well Mr Vally you would be welcome to take over the chair if you so wish. But I am saying to you those two working groups - the chemical weapons working group and the biological weapons working group consists of representatives of the entire industry in this country that is involved in either chemical or biological research as well as the academics. As well as Colonel Steyn and they are the people with the technical knowledge and the role that I play there is not to be technical but rather to look at the implications of the Convention to the regulations, to the declarations that have to be made. And to advise both foreign affairs and the Non-Proliferation Council on proliferation dangers, etc, etc. And again I make use of the experts I have on those committees and you are welcome to have a look at the members of those committees. They are the top people in this country with regards to those technical aspects.

MR VALLY: Let's go on. Did you know the difference between hard projects and soft projects as been (...intervention)

DR KNOBEL: I have already answered that question. That was an internal arrangement within the companies and I only discovered that when I saw the documents that came out of the trunks.

MR VALLY: And that was in?

DR KNOBEL: Before that it was never ever discussed even at CMC level.

MR VALLY: And what date was that again?

DR KNOBEL: The trunks?

MR VALLY: The knowledge of that information?

DR KNOBEL: I think it was in February 1997 that the trunks had been found.

MR VALLY: Well maybe you can take us through some of the projects that you were involved in? Project Jotta?

DR KNOBEL: It is just a different name for Project Coast. It was an arrangement by Chief of Staff Intelligence that the name Coast was becoming far too familiar and everybody was talking about it, the name of the project had to be changed. It was a security measure.

MR VALLY: Project academic?

DR KNOBEL: Project Academic as far as I recall was the project that was started by the army after we had produced CR in large quantities and it was the process of weaponisation and delivery systems for CR which is a combat service function not a medical service function. Therefore it was handed over to the army.

MR VALLY: Project Black.

DR KNOBEL: Project?

MR VALLY: Black?

DR KNOBEL: No I am afraid I can't remember what Project Black was about.

MR VALLY: We understood Project Black to be the weaponisation of CR gas.

DR KNOBEL: Well I am sorry I was under the impression. You have a document in your folder here which is about Project Academic can we have a look at it?

MR VALLY: We will find it for you and we will come back to you on this issue. Just for interest sake can you tell us what were you purchasing from Croatia?

DR KNOBEL: In the chronological report that I gave you today in one of the appendices where Dr Basson gives the chronology of events I think he mentions - if we can just look at that quickly. Yes in your appendix G the first document

in that series was the document that was produced by Brigadier Basson at the request of the Minister with the meeting that we had with him on the 15th of July. If you refer to page 3 you will see under paragraph 16: -

"It's been agreed that 500 kg of a substance M would be made available to the project officers under the following conditions."

And substance M.

MR VALLY: M stands for?

DR KNOBEL: I think Methaqualone.

MR VALLY: Which is the active ingredient in Mandrax?

DR KNOBEL: No Sir which is a ground substance that could be used for the development of an incapacitory agent. I don't know if it can be used for Mandrax.

MR VALLY: Well I will tell you it is. It is in fact in the abuse of substances Act it refers to methaqualone there as well.

DR KNOBEL: Thank you Sir.

MR VALLY: So we were importing Mandrax or Methaqualone rather from Croatia?

DR KNOBEL: That is correct.

MR VALLY: Why would we be importing Methaqualone from Croatia when General Lothar Neethling was making vast quantities available to Dr Basson? Were you aware of this?

DR KNOBEL: Mr Vally I know that you say it is vast quantities but you argued that whole point with General Lothar Neethling who kept on saying to you that it was in fact not vast quantities.

MR VALLY: Well let's start off firstly; were you aware of this?

DR KNOBEL: That we were obtaining some substances from the police?

MR VALLY: That is right.

DR KNOBEL: Yes Sir.

MR VALLY: In the quantities that were referred to?

DR KNOBEL: No not at that time.

MR VALLY: Were you aware of whether any documentation had been issued?

DR KNOBEL: No in fact I was under the impression that there was no documentation. I have constantly at the beginning of the OSEO investigation this was one of the questions that was addressed in that very first letter to me that you have in your possession that I gave you this morning. And there Dr Basson said that there was an approval given by the Minister and by the Commissioner of Police and that he had such a document. But we, both the

OSEO and I have not been able to get that document at any time. So I haven't seen that document.

MR VALLY: So with your knowledge of his financial improprieties in 1991 and your further knowledge in February 1994 there is no record whatsoever that the 200 000 Mandrax tablets and these were Mandrax tablets put in the boot of Brigadier Basson's car were in fact used as he claimed.

DR KNOBEL: Mr Vally would you repeat that again I am sorry I didn't follow that? You said with my knowledge of his impropriety in 1991?

MR VALLY: Right financial improprieties.

DR KNOBEL: The financial improprieties came to my attention at the end of 1992 and with the beginning of the OSEO investigation is 1993.

MR VALLY: No you were aware of it before that in 1991. But in 1992 you received a letter. This is what you advised us.

DR KNOBEL: No, no I testified earlier on that I reported to National Intelligence that there was some internal investigations by CSF and CSI about the Murton House and about the Aeromed Services and that was towards the end of 1992. That is what I testified earlier this morning. And the letter of the OSEO that was originated in December 1992 reached me on the 11th of January 1993 and I replied to it and my reply is the 11th of January. But be that as it may could you now complete that question? You say with my knowledge of his impropriety?

MR VALLY: Yes I had understood you saying that there were concerns raised about financial matters regarding Brigadier Basson in 1991 already. And I have put a number of questions to you on that basis already. Are you saying that you only heard about that for the first time in 1992?

DR KNOBEL: No I am not saying that Mr Vally and I don't want to make an issue about 1991 or 1992. I am prepared to accept what you say that I must have been aware of some financial irregularities in 1991. But none of it at that time, internal investigations by the Defence Force had any finding that there were in fact improprieties.

MR VALLY: I see. But by February 1994 you were seriously concerned?

DR KNOBEL: Yes. Then the investigation of OSEO had been going full-out for almost a year.

MR VALLY: And you are aware that there are certain legal formalities which have to be complied with in order to be in possession of certain substances listed?

DR KNOBEL: Yes.

MR VALLY: And are you aware that it was the Medical Control Council that had to authorise the possession or use of Methaqualone?

DR KNOBEL: No I wasn't aware of that, that they were in control of Methaqualone per se.

MR VALLY: Well amongst other drugs but that was one of them.

DR KNOBEL: I am aware of the fact that they have had general control over all drugs that are abuse, that are used in abuse.

MR VALLY: Well as a medical doctor are you aware that methaqualone is an active substance in Mandrax?

DR KNOBEL: Yes I am Mr Vally. You asked me this question last week too and I confirmed yes I do.

MR VALLY: Right and so the question is were you aware that this was an illegal transaction?

DR KNOBEL: No I was not aware that it was an illegal transaction. I was under the impression that with the authority that we had from the Minister and from the Commissioner of police that legalised what we were doing.

MR VALLY: Can you tell us expressly and crisply what happened to the 200 000 Mandrax tablets given to Dr Basson?

DR KNOBEL: I have no idea.

MR VALLY: You have no idea?

DR KNOBEL: I have no idea. I was certainly informed that the contents of the tablets were all collected together and was used as a ground substance to research the possibility of creating an incapacitating agent out of it.

MR VALLY: And was this before you started importing your own Methaqualone from Croatia or after?

DR KNOBEL: I am under the impression or I was under the impression that the Methaqualone that came out of Croatia is what is reported as on our shelves in the letter that I showed you this morning in November 1992. Where it says clearly that we had 500 kg of substance M.

CHAIRPERSON: Dr Randera, sorry Mr Vally.

DR RANDERA: General can we just understand. If I remember correctly and you know we have heard a great deal of information in the last two weeks. If I remember rightly from Dr Koekemoer Delta G had the facilities for producing and in fact there is documentation to that effect that it wasn't even part of a research project. It was seen in that document that we have within our file shows that the Methaqualone that was produced was not even for, didn't fall within the hard projects. Now if you had a facility already and you had the

ability to produce Methaqualone here in South Africa why was it necessary to go all the way to Europe with a person where there is a great deal of suspicion already to go and buy some more Methaqualone?

DR KNOBEL: Dr Randera I am not entirely sure that I agree that having the ability to produce an incapacitating agent is exactly the same.

DR RANDERA: Sorry General we were told explicitly the other day.

DR KNOBEL: By Dr Koekemoer?

DR RANDERA: That Delta G was set up as a company not only for research but to mass produce if necessary.

DR KNOBEL: That is correct.

DR RANDERA: Now we were told by him. In fact he gave us the amount that they produced in this one year. I think it was 1988, 1989 where they produced 500 kg of Methaqualone. Now that facility was there. It was set up by you as the head of this operation.

DR KNOBEL: Yes I understand your question.

DR RANDERA: But in 1993, 1994 you then send Brigadier Basson - sorry if I have got the times wrong.

DR KNOBEL: No it is not right. But Brigadier Basson (...intervention)

DR RANDERA: But what I am trying to understand is why is it necessary when we have got the facility already that can produce whatever amounts that you require?

DR KNOBEL: Dr Randera the substance or the ground substance if I could use that term, that you require to produce what we were producing at the time namely a possible incapacitating agent was Methaqualone. The information that I had that, that Methaqualone were obtained in Croatia in 1991. The reason Dr Basson went back to Croatia was to recover the funds which had been lost at the time.

DR RANDERA: But still does not answer my question which is you have a facility.

DR KNOBEL: Dr Randera I didn't testify to you that Delta G made a 1000 kg of.

DR RANDERA: It is documented. It is not only Dr (...intervention)

DR KNOBEL: Within the Delta G files?

DR RANDERA: Documents that we have where Dr Koekemoer points out to us that the facility was there, the abilities were there, the skills were there. You are not telling us that you went to buy that, Dr Basson went to Croatia just to buy the ingredients. He actually went to buy the substance Methaqualone.

DR KNOBEL: That is correct.

DR RANDERA: And yet you had the facility already to produce it from 1986 onwards.

DR KNOBEL: Well I must say to you that the impression I had was that the Methaqualone which is reflected on our shelves in the letter that I showed you this morning which was dated November 1992 was the Methaqualone that had been obtained from Croatia. I was not aware that, that Methaqualone was produced at Delta G or delivered by Delta G and I would like to see that if you have such a document that can show that to me. It may be so yes if Dr Koekemoer says it was produced at Delta G that is news to me.

CHAIRPERSON: Wouldn't it be in the documents you received from us General?

DR KNOBEL: Yes I have but I must admit Mr Chairman it is a mass of documents that I have not been able to scrutinise all that carefully.

MR VALLY: It is under the code name Mr Chairman Mosrefcat.

DR KNOBEL: Yes I saw those documents.

MR VALLY: And we can give you the exact reference if you want it but it has been given to you.

DR KNOBEL: Yes but I would like to say the following Mr Vally as I understood it that was the project to use Methaqualone to produce a derivative which could be used as anti-capacitating agent. If you saying that those document does not reflect that then I accept what you say.

MR VALLY: If I could follow this particular point up. You see what is of concern to us is in terms of the table you gave us on chemical warfare agents the only psycho chemical referred to is BZ. There is absolutely no reference to Phencyclidine, Ecstasy, Mandrax or Cocaine.

DR KNOBEL: Exactly.

MR VALLY: Or cannabinoids being used as incapacitates that this is nowhere in any of the scientific texts that we saw. And the question we are putting to you is if none of the scientists around the world were of this view on what basis was Project Jotta of the view that Mandrax or Ecstasy or Cocaine or Dagga could be used as incapacitants for crowd control?

DR KNOBEL: No you have made a number of assumptions here that are not correct Mr Vally. There are many scientists who all over the world and General Neethling revealed here that in America that is exactly what they are doing. They are looking at all kinds of drugs that are being used on the streets there as possible incapacitating agents. He made that statement here in his testimony.

And this is the information that we were given at the CMC and that we would have to obtain some of these illegal drugs if that is what you want to call it, so that we could investigate the possibility of creating incapacitants of it. And you have the record of the briefing given to the Minister where I indicated that we have three possible incapacitating agents. One which was a BZ derivative which is the one which is listed in the chemical weapons convention clearly. And the other two was the Methaqualone one and the other one was the Baxil Project. I mentioned that the Cocaine and the cannabinoids were also considered to be possible incapacitating agents.

MR VALLY: I ask you whether - I have two questions before lunch Mr Chair, just two questions. I ask you if you are aware of any scientific text anywhere in the world with the exception of what is produced at Delta G under Project Jotta relating to the usage of Ecstasy, Mandrax, Dagga as incapacitants? Can you refer to me?

DR KNOBEL: Am I personally aware of any documentation? No I am not.

MR VALLY: Not. As project manager of Operation Jotta can you tell us unequivocally that you can account for the 200 000 Mandrax tablets which were given by General Neethling to Brigadier Basson, for the 250 kg of Dagga and for the 5 000 LSD tablets? Can you tell me as project manager that you can account for those items?

DR KNOBEL: How do you mean account Mr Vally?

MR VALLY: Well received at point A by so and so, developed, analysed, crushed, extracts removed from it at point B thereafter this was the waste matter disposed of in this way. This was the active substance. That kind of detail that any scientist would be able to give you?

DR KNOBEL: No Sir I don't have that kind of detail. All that I have in front of me is what we had on our shelf as reported by the project officer. What we reported to Mr Louw and what we had destroyed as I gave it to you this morning.

MR VALLY: Thank you Mr Chair.

CHAIRPERSON: Maybe this is a convenient stage to take the lunch adjournment. We will adjourn until two.

COMMITTEE ADJOURNS.

ON RESUMPTION:

CHAIRPERSON: Mr Vally I understood that two things stood over. The one was that you and Mr Arendse were going to decide which documents are covered

by Category 2 of the agreement and which are not. And I do not know whether that exercise has been gone into and what the outcome thereof is.

Secondly you indicated that new evidence was brought in this morning in the form of documentation from General Knobel that it was your view that in order to do justice to your case you might need some time to look at that document. I don't know how far you have gone.

We have a time problem. There is a scheduled meeting of the Commission at half past two that is intending to look at a wide range of issues including issues that deal with the final report. I think arrangements have been made with a number of Commissioners to be present and I have seen some that are present. So I don't know how long you were expecting to be with Dr Knobel. But I was not hoping to be here later than half past two. At the very worst quarter to three. So I need to know where we move from here. I do not know what the position is with regard to Dr Wouter Basson. What the position is to Dr Mijburgh and whether you still need to call further evidence in the event those two are going to testify or one of them is going to testify. So I need to be guided by you but I have already indicated what my own time constraints are and I am speaking on behalf of the panel when I say so. It has nothing to do with any other events which are of a national interest today.

MR VALLY: Thank you Mr Chairperson. On the first two issues there is a standard response. The documents that my learned friend, Advocate Arendse and I were supposed to go through are the very same documents which were presented to us by Dr Knobel this morning. It will not be possible for us to have gone through all those documents. So we will have to do it at some stage. Which leads me up to the next point that in view of these new documents and we may have to ask some questions pertaining to those documents that we may have to recall General Knobel to another day where we can go through these documents with him. If that is going to be agreeable then we can get as far as we can by half past two and if necessary we can then postpone this hearing.

It will also be necessary to call Dr Mijburgh. We have just had an indication for the very first time that he has now agreed that he will give evidence. So what we could do is co-ordinate with the various legal representatives suitable dates and then we can complete with General Knobel, deal with Dr Mijburgh also on that date. And we will have had a chance to go through all the documents and determine which ones are potentially of danger to proliferation.

CHAIRPERSON: There has been much on the record certainly from the evidence of Dr Knobel that suggested the possible calling of Mr Mike Kennedy. Is there any indication with regard to that?

MR VALLY: Well we have been advised that should we need to call Mr Mike Kennedy he would require proper notice so that he has an opportunity to get the assistance of legal counsel. However I could suggest that if General Knobel was to indicate more specifically than he has in his presentation what issues he wants Mr Kennedy to raise we could possibly get an affidavit from Mr Kennedy and read it into the record if it is acceptable to General Knobel.

DR KNOBEL: Mr Chairman yes I think it would be acceptable to me. I would have to go and think about it a little bit but the important issues that are relevant here are the chronology of events and the briefings that were given by myself and Mr Kennedy either together or separately on a number of occasions, that I think are important from my point of view. I did as you have noticed this morning in my statement try to indicate where the information is contained in what I called appendix K which is the Operation Cloud report. And I steered away deliberately from dealing with it point by point. It was before you arrived that I was going through some of the other documents. For the very purpose that it then begins to become a problem with regards to proliferation and so on. But those are, let me say those are the critical stage between the demarche and what followed thereafter. Up to the point where we briefed Mr Mandela on that one and Mr Mbeki. That would be the, if that helps Mr Vally that would be the region where I really think it is important that Mr Kennedy should be able to testify thank you.

CHAIRPERSON: Mr Arendse do you want to say anything in this regard?

MR ARENDSE: Chairperson yes. Can I get an indication whether we are going to utilise tomorrow? You will recall that not only Mr Cilliers but I also had a problem with today and tomorrow. So things have been shifted around to accommodate tomorrow and I was wondering whether it is not possible then to continue with General Knobel tomorrow. In so far as the documents are concerned I got them late last night. I spent some time going through them. I would have thought that Mr Vally and Mr Chaskalson could do the same and before we start tomorrow we could have agreement on the issue of the documents.

CHAIRPERSON: I gather that the purpose of having Thursday and Friday when we originally arranged for Thursday and Friday to be the dates, that is today and tomorrow was that was the expectation that we would hear all the evidence

to completion. As things stand now we are not going to do that in any event. So the thinking is that we do not sit tomorrow and that the proceedings should be adjourned to a date, in fact to dates to be arranged which would therefore mean all those who are affected by the adjournment should put their heads together and find suitable dates. Such dates to be in the immediate future in view of possibly in July. Mr Arendse do I read something on your face?

MR ARENDSE: Yes.

CHAIRPERSON: May I know what it is that is written on your face? It is in hieroglyphics.

MR ARENDSE: No if that is your view Chairperson and of the Committee's then obviously I will abide by it and we have to arrange dates as soon as possible. But I foresee a problem on my side. That is what is written on my face.

CHAIRPERSON: We will try and accommodate you. Do you have anything to say? Thank you. Mr Vally.

MR ARENDSE: Sorry Mr Chairperson and then just as far as Mr Kennedy is concerned I don't hold a brief for him but we had discussed this before and he is here. In so far as his attendance at meetings and briefings with General Knobel that doesn't present a problem and if those specific references are made to report on Operation Cloud we have already indicated that, that also wouldn't present a problem.

CHAIRPERSON: Very well Mr Arendse. Mr Vally in the next 17 minutes.

MR VALLY: Do I carry on with General Knobel?

CHAIRPERSON: It is up to you Mr Vally.

MR VALLY: That is what my intention was I was just wondering regarding the response about Mr Mike Kennedy. Can we specifically ask Mr Mike Kennedy to make an affidavit along the lines suggested by General Knobel on the basis that Mr Kennedy is present today.

CHAIRPERSON: I am sure that is something that you can arrange. I can't order that from where I sit. I am sure it is an acceptable arrangement.

MR VALLY: Is it acceptable to General Knobel?

DR KNOBEL: Mr Chairman in my statement this morning I actually suggested two things. I said it would be - I have requested Mr Mike Kennedy whether he would make an affidavit of his own and I suggested that he should be called for testimony. It would be acceptable for me if he makes a statement but I want the Commission to understand that I have a feeling that at a later stage in this hearing or possibly in the future questions put to me I will begin to have to

reflect in what is written in this report. And I will have to give some background information there as I did this morning with regards to all the other appendices that I gave. And if you will allow me I will give an example.

The report certainly has lots of documentary evidence that is run with the report but like the ones that I had on the table this morning that is a piece of paper which is very patient and has a lot of things written on it. But the discussion around what is written there is really what I would like to bring out. I am not sure if that can all be brought out in a statement. But I would be happy if that is the arrangement.

CHAIRPERSON: I hear you. Mr Vally I think this is something that is validly put and maybe that is something that you should think about. But in any event we have enough as things stand at the moment for us to read to proceed but that is homework for you and possibly Mr Arendse. If Mr Toyeli perhaps in his capacity as legal representative of General Knobel I think this is something that I would rather you thrashed out at that level. You have got 15 minutes more.

MR VALLY: Thank you Mr Chairperson. General Knobel if we can carry on where we left off. What do you understand to be the responsibilities of a project leader?

DR KNOBEL: Well Mr Vally in the case of this project it was reasonably clearly conveyed to me by my predecessor and it is also contained in some of the documents that have been made available including the briefing that I gave to the TRC initially. I think I did testify the previous round of testimony that the problem that you have with such a project it is a very complexed project. It has lots of technical aspects. It has complexed financial arrangements. It has very complexed security arrangements. And this necessitated in this case that the project was managed by a committee with all due respect a committee is not always the best structure to control any project. However in this case it meant that the chairman of the co-ordinating management committee who was the Chief of the Defence Force like the vice-chairman who was a certain General who was also the responsible functionary because the project officer came out of the medical service. And because the medical service as an independent arm was chosen to deal with the scientists and deal with the subject matter, namely chemical and biological defence.

Both those functionaries, the chairman and vice-chairman was totally dependent on the sub-committees that existed within the co-ordinating management committee. Which meant a division of responsibilities and the

position of the project manager was to try and co-ordinate those functions and bring them together.

But I stress again on the financial side the complexity of the front companies and how you structure their financial arrangements and how do you structure the payment of accounts overseas in such a way that it cannot be traced back to the client which is the Defence Force was to a very large extent planned and approved and suggested and controlled by Chief of Staff Finance. And in particular the name came out this morning on that document Brigadier Koertzen who is very familiar with the arrangement of such financial arrangements where you have to transfer money overseas and then allow it to flow to different accounts so that it cannot be traced back and so on.

On the security side the same situation arose where the Chief of Staff Intelligence through his sub-structures would look after the security arrangements in such a way likewise that neither the project officer nor the project nor the Defence Force is compromised or in any way revealed in transactions that take place. Which is after all as came out clearly this morning transactions which are geared to overcome the situation of isolation and sanctions and all that sort of thing.

I think the third sub-committee I think has become clear to you all which is really the technical committee. The research development at grassroots level. The handling of the scientists, the co-ordination of their activities and also keeping it apart, keeping it separate, that was the direct responsibility of the Project Officer.

In the co-ordination role of the Project Manger, it was to ensure and to represent to the Chief of the Defence Force that all three these functions were brought together in budgetary allocations in presentations of the kind that I've been making to all the various Ministers and all the various parliamentary groups, etc., etc., and to do so with total reliance on those three sub-structures.

You are correct if you say that the details contained within those presentations or briefings that refer to the scientific or the technical aspects, that had to be provided by the Project Officer. The privatisation, commercialisation phase, all of that was planned by the Project Officer in conjunction with the Chief of Finance at that time, considering the various company regulations that existed and that is why, you will have noticed, that is why all the documents of financial transactions have had to be kept and they were kept, none were destroyed as far as I'm aware of. Those are the 14 trunks that I've referred to before.

The Company Act provides that you cannot destroy that, whereas other documents in terms of regulations within the Defence Force and in terms of directions that we got either from the Chief of the Defence Force or from the Minister were in fact destroyed or so, that's my information. It certainly is a bit frustrating that you don't have that type of information available today.

Certainly, when I took over and when I became aware of the financial problems I started keeping every single document that was under my control because I realised the important of, for example the support of the OSEO investigation.

At the same time I have to admit to you, the issue of privatisation and commercialisation and whether it was in the best interest of the country and whether it was a reasonable way of doing it, if you look at it today you might think that it was not a very good way of structuring that whole process but the fact of the matter was, at the time with the security constraints, with the guidelines that we had from our own Minister at the time and the fact that the Auditor General was closely involved in the whole negotiating process about how that process should be structured, the State Attorneys were involved in that and ultimately the Minister of Finance approved it along with the Minister of Defence.

Quite frankly it was so complex that I was not capable of dealing with that on my own and I had to rely totally on Chief of Staff Finance. To what extent the Project Officer had understanding and influence and control over that, I can really not tell you. I think it was really the Chief of Staff Finances structure, how it should take place.

It was so complex that even today at the request of the Parliamentary Committee on Public Accounts, the Joint Standing Committee, that have asked questions about that process, the answer to that as far as I know has not yet been provided for the Standing Committee. It was given to the Auditor General to investigate and to take statements from everybody that was involved right from the beginning of the project. In other words, they go back to Admiral Becker who was the First Chief of Staff Finance involved in the project, followed by Admiral Murray, followed by General Raubenheimer etc., etc.

One of the difficulties is if you look at the, my notes, I can provide them if you want me to, if you look at the changeover in the positions of the members of the Co-ordinating Management Committee, we are now talking of about 25 individuals. The Co-ordinating Management Committee consisted as I've said many times now, of the Chief of the Defence Force, the Surgeon General, Chief

of Staff Finance, Chief of Staff Intelligence, Chief of the Army, later on the Commanding General Special Forces and later on the Chief of Staff Planning and so on.

If you take the incumbents of those posts, from 1981 onwards we're talking about 25 different people and to preserve continuity within that as Project Manager, first of all my predecessor for the first eight years of the project and then myself for what turned out to be the next five years of the project, is extremely difficult and also to change a system which is working and which is producing results and giving what we're aiming to try and achieve through the objectives is virtually impossible. You inherit a system that is working, that everybody is satisfied with it, with its shortcomings and to come in as a newcomer and now say that: "I'm not satisfied with this process, I want to reverse the whole process or change it or I want to re-evaluate it and so on", that I think is not possible.

And I must say that this is one of the issues which to me became very difficult to handle and that is what I tried to explain this morning in my statement when I said that I found I could not really achieve the results and the answers that I wanted to achieve within the Defence Force alone. I thought I had to get the permission to move outside. I had already had the permission to work as closely as possible with the OSEO investigation and I did. I have spent five years now giving documents and giving inputs at the OSEO investigation. I'm the State witness for their entire case at this stage against Doctor Basson.

I believe there are going to be more charges at a later stage and I will still take part in that entire process. But at the same time the second component which I described this morning as being the second channel of command and control or what was described by National Intelligence as the unofficial programme, that as it emerged in the end of '92 if you like, and in as far as I am concerned the end of '93 with the demarche, that has resulted in an investigation mainly by National Intelligence but certainly by the Attorney General's office, in which I'm very closely involved and which in exactly the same way all these sort of documents that you are showing to me and other documents that have been found in the trunks and other documents that are official documents still today in the Defence Force, even the documents that are in the archives, are brought up and we look at them and we decide together where we can give comment on it.

Likewise, there I'm very limited. The fact that I'm limited is the fact that I wasn't involved in it to begin with until the realisation occurred in '93 and since

then Mr Kennedy and I have been working absolutely together in every possible way in every respect and this is why my suggestion to the Commission was that it would be extremely important for the Commission to listen to the evidence of Mr Kennedy.

CHAIRPERSON: That brings us to half past two Mr Vally and in view of everything else that I have said, I think whatever follow-up questions will have to be held.

MR VALLY: I have two questions.

DR KNOBEL: Mr Chairman, I beg your pardon, I just want to rectify something if I may.

CHAIRPERSON: ...[indistinct] Mr Vally, this question was put at a quarter past and you are now at half past. If you are going to put to more questions we will be at 3 o'clock. I sympathise with you but the witness has to give as full an answer as he would like to. You are aware that the meeting that we are going into cannot be adjourned, it is important.

MR VALLY: Well, if I could just get clarification of this answer, I'll shelve the other two questions.

CHAIRPERSON: You are a brave man Mr Vally but you can go ahead.

MR VALLY: Sorry, before I continue. General Knobel, you had something you wanted to say.

DR KNOBEL: Just one word. I testified earlier today when you asked me about various projects and I said that Project Academic was the project for CR weaponisation, obviously that is not true. That was the one project which was the document that we decided would not be discussed here. Academic was in fact the defensive equipment detection apparatus, masks, filters, etc., etc., and I just want to rectify that, thank you.

MR VALLY: Thank you General Knobel. From what I understand from what you explained to me the role of a project leader was, you mentioned that the Chief of Staff Finances would be in charge of finances and the technical work would be done by Doctor Basson who was also on the Co-ordinating Committee?

DR KNOBEL: Yes.

MR VALLY: You co-ordinated the front companies?

DR KNOBEL: No, Sir.

MR VALLY: I'm still trying to pin down exactly, you've given us a long explanation but what precisely was your role?

DR KNOBEL: I think co-ordination, that is why it was called the Co-ordinating Management Committee.

MR VALLY: Co-ordinating what?

DR KNOBEL: Co-ordination between the three components, security on the one hand, financial arrangements on the other hand and the scientific and technical research and development on the third hand. And obviously the Committee was responsible for the budgetary planning on a budget by objectives basis every year.

MR VALLY: Sir, did you attend any scientific meetings?

DR KNOBEL: No, Sir.

MR VALLY: None whatsoever?

DR KNOBEL: No, Sir. It was policy that none of the Co-ordinating Management Committee members, neither the Chief of the Defence Force who was the Chairman, should be visible at the level of the companies. I understand that Doctor Goosen testified that I visited the company with General Nieuwoudt, that is totally untrue. It was policy not to go to the companies.

In the entire period of the project in which I was involved I visited Delta G one Sunday afternoon when there was nobody else present there, so that I could see the facility and I visited Roodeplaat also on a Sunday afternoon on one occasion and one evening I attended a social function at the farmhouse on the skirts of the property there. But the police was that we were not to have contact with any of the scientists on the ground.

I think Doctor van Rensburg testified to that effect, that he said he had seen me only once and that was in my office at my headquarters.

MR VALLY: Thank you very much.

CHAIRPERSON: Thank you very much Mr Vally.

MR VALLY: Carry on Mr Chair.

CHAIRPERSON: Ladies and gentlemen, this brings us to the conclusion of this segment of this hearing. The matter is adjourned to a date to be arranged and on which date the evidence certainly of General Knobel will be concluded and that of Doctor Mijburgh and possibly Doctor Basson will be taken and any other further evidence as it may be necessary for us to have a complete picture of the Chemical and Biological Warfare Programme and its activities. We are adjourned.

HEARING ADJOURNS

CHAIRPERSON: Mr Vally if you will take the evidence of Dr Knobel.

MR VALLY: Thank you. General Knobel, just to remind you you are still under oath.

DR KNOBEL: Thank you Mr Vally.

DANIEL PETER KNOBEL: (s.u.o.)

MR VALLY: General Knobel we've been going through some of the documents that you've given us and I want to pursue some of the issues raised in those documents. If we can start with Annexure D.

DR KNOBEL: Mr Vally can I just ask you, has it been clarified that I can discuss the contents of these documents freely?

MR VALLY: I have an understanding with Advocate Arendse that I can discuss these issues with you. If there are issues relating to proliferation in any of the documents either I will on my own, or Mr Arendse will intervene regarding the publication of these documents to the Press.

DR KNOBEL: Thank you.

MR VALLY: I think Adv Arendse can confirm that.

CHAIRPERSON: I think that was placed on record by Adv Arendse during the course of the morning and the panel accepts that that is the position.

DR KNOBEL: Thank you Mr Vally.

MR VALLY: Thank you General Knobel.

General Knobel let's go to Annexure D. Annexure D is a letter from you in response to certain questions asked by the Office for Serious Economic Offences. If you could start off with paragraph 49. Do you have it?

DR KNOBEL: Yes I have it.

MR VALLY: On page 12. Now this letter is dated the 11th of January 1993. Paragraph 49 starts off -

"Information by Brigadier Basson supplied.

Methaqualone was one of the incapacitating agents which was investigated in 1987 as part of the offensive CPOA programme and this substance, as some others which were experimentally manufactured, proved itself to be very good for application in the pyrotechnical format.

In this connection the necessary substances of methaqualone and a number of derivatives thereof were manufactured. The physiological effect on the target persons and experimental animals were determined and a number of mortars or samples were prepared for experimental purposes.

The results thereof were fair or reasonable, although it appeared that the intense excitation and stress and tension which were caused or induced in the target

persons during armed skirmishes could lead to the fact that this substance took longer to have the desired effect as what was noticed in experimental cases. The utilisation of the substance was stopped in 1988".

And then it goes on -

"Since then a far more effective analog was developed by means of further research which should obviate the above drawback".

Now are we to understand from this firstly, that there were experiments done on animals and in people, and in fact it was used in a combat situation, the incapacitant which was made up of, amongst other things, methaqualone?

DR KNOBEL: Yes Mr Vally. Let me just point out to you at that time of course I was not the Surgeon-General in 1987, and this is the reason that the answer here is provided by Brig Basson. As I understood it volunteers of Special Forces but also of 7 Medical Battalion group took part in simulation exercises in which they tested these few mortars to see what the effect would be on humans within battle conditions.

So when you say experimentation it was a voluntary exercise, the type of exercise that I took part in myself at a later stage with regards to CR, not only to test the equipment that we had developed to see if we were protected against it well enough with our equipment, but also to see whether we could endure the effects of CR without using masks and filters and so on.

Now in this particular case I was not involved or present with these exercises but this is the information as was provided to me by Brig Basson in answer to the question of the Office of Serious Economic Offences.

MR VALLY: The first question is this. Whatever experiments on humans that were done were done on volunteers from the Defence Force?

DR KNOBEL: Yes.

MR VALLY: The experiments on animals, are you aware of what was done regarding that?

DR KNOBEL: Well I take it that the same work that was done at Roodeplaat at a later stage was also done in conjunction with the methaqualone on experimental animals, and again I wasn't involved in it personally, but when he says the physiological effect was tested on animals I think they were exposed to this incapacitant and the effects were studied, presumably at Roodeplaat Research Laboratories.

MR VALLY: And General the skirmish being referred to where this incapacitant was apparently used?

DR KNOBEL: Mr Vally you didn't listen to my answer. I said "simulated battle conditions" were used. That is what is meant by a skirmish here.

MR VALLY: I see. I understood that the normal meaning of "skirmish" is skirmish, but in any event let's go on.

Now the second last sentence on that page -

"The application of this substance was stopped in 1988".

DR KNOBEL: That was the information that I had as well and it is confirmed also by the briefing that we later gave to the Minister, which is also in these documents.

MR VALLY: Which is that methaqualone was not ...(intervention)

DR KNOBEL: Was in fact not a very effective ...(intervention)

MR VALLY: And therefore you are not going to use it any longer.

DR KNOBEL: That was what was said at the time and also at the briefing to the Minister which you will recall. However, they then started working on a different analog which is the next part of that paragraph.

MR VALLY: Right.

DR KNOBEL: Which was the work that was continued later in lieu of the President's approval that we could continue work on the incapacitating agents.

MR VALLY: If I can understand, when you talk about a different analog, was this analog related to methaqualone at all?

DR KNOBEL: Yes of course.

MR VALLY: I see. Now we have had a number of sources for methaqualone. The one source of methaqualone was what was sent or given to Brig Basson by General Neethling, 200,000 mandrax tablets. We also know that at least a 1000 kilograms of methaqualone was produced at Delta-G. If we had the capacity and were in fact producing it at Delta-G why in 1992 and 1993 at great cost were we endeavouring to import it from Croatia?

DR KNOBEL: Mr Vally I think there's a misunderstanding here. The way I understood was initially, the initial work on methaqualone was done on the methaqualone which was extracted from the mandrax tablets that we were referring to this morning and which was dealt with in quite a lot of detail by General Neethling, and the impression I got when he gave his evidence is that 200,000 tablets in fact produces very little of the basic ground substance that you require.

The production, as far as I am concerned, and it is also written in this letter to the OSEO was done at Delta-G Scientific. We were informed at the Command Council meeting, or rather the Coordinating Management Committee

level, that the purity of the methaqualone that was obtained was not adequate and that they were going to look for a different source overseas. And that work that you are referring to was actually done in 1991. The problem that arose was dealt with in '92/'93 as you will have gathered from the documents that I made available to you about the Croatian incident.

But when we briefed the Minister in 1993, Minister Louw, in that briefing you will see that we report that there is methaqualone available on the shelf, as it were, on the shelf. That was the document of November '92 which said, what did we have in our possession and we reported that to the Minister. To my mind that, or to my satisfaction that was the total quantity of methaqualone that we had available, which is the quantity which was then destroyed after the Minister gave permission to us to destroy it.

You will notice, just if I may point out, to paragraph 51 of the document we are looking at, at the moment, we are talking there about "rooe materiale", in other words the basic ground substances. Possibly Professor Folb can help us with a better word than ground substances. But that had to be of a pure nature from which the methaqualone derivative or analog could then be produced.

MR VALLY: So the project regarding methaqualone was not in fact stopped, the research into methaqualone?

DR KNOBEL: No I have already said to you just now that the President approved that we could continue with different analogues, which is reported here to the OSEO, and it had been done, and then when the Minister was briefed and told about the implications of having incapacitants in terms of the new convention that we were about to sign in Paris, he instructed us to destroy what we had, which, to the best of my knowledge, was carried out.

MR VALLY: Is there any documentation, any report anywhere which said that the methaqualone which was produced at Delta-G was not of sufficient quality which necessitated the importation of methaqualone?

DR KNOBEL: No, not to my knowledge. I believe it was a verbal report by the project officer.

MR VALLY: And that's Brig Basson?

DR KNOBEL: At the level of the Coordinating Management Committee, yes.

MR VALLY: And do you know when this happened?

DR KNOBEL: No Mr Vally I won't be able to fix a date to it, but I should think it was after the 1987 work was done. Remember I said to you just now I was then not the Surgeon-General as yet, so I take it that it was at that stage. Certainly when I took over as Surgeon-General and I had a briefing by the

project officer, I was brought up to date with this information and I was told that the project was now continuing on other analogues for which certain production was done at Delta-G and for which we were going to import through Organichem a purer methaqualone variant from Croatia.

MR VALLY: Well let's look at paragraph 50 of that same document. You go on, I'm talking about the second last sentence of paragraph 50.

DR KNOBEL: Yes.

Y:

"The programme was further, with the knowledge of the Minister of Law and Order, the Commissioner of Police and staff appointed by them to monitor the programme and to assist, carried out by them".

Are we to understand that the Minister of Law and Order, and the Commissioner of Police were aware that Delta-G was producing methaqualone?

DR KNOBEL: Yes certainly. The impression I had was that there was a document. I was informed that there was a document of approval that methaqualone could be worked on at Delta-G and that that document had been signed by both the Minister of Police as well as the Commissioner of Police.

MR VALLY: Have you ever seen that document?

DR KNOBEL: No, I have not.

MR VALLY: Are you aware of whether that meets the legal requirements in terms of the Medicines Control Act?

DR KNOBEL: Well Mr Vally I have nothing more to say than what General Neethling said in this regard. I was satisfied that the previous Surgeon-General had informed me that he had the permission from both the Minister and the Commissioner of Police. I was assured that that permission was on a document. I had not seen that document. I had in fact asked for the document and I have never been given such a document.

MR VALLY: Are you aware of what kind of assistance these personnel being referred to here offered the project?

DR KNOBEL: No I think what is referred to here is the delivery of the mandrax from which it was extracted initially and making it available to Delta-G. I think that is what is referred to here.

At a later stage you will remember when we briefed the Minister, the Minister, in view of the briefing that we gave us, indicated that we should also get support from the Police service, from the forensic laboratory, of a policeman to accompany the flight that actually destroyed the quantities. You will remember that.

You will also remember that in that Coordinating Management Committee meeting that it is reported that the police at that stage did not want to be involved in the destruction process and instead of a policeman we then asked somebody from the Counter-Intelligence department to accompany the flight, which was I think a Commandant de Bruin. Afterwards the police did agree that we could use the Forensic laboratory to determine the contents of the various plastic drums and we have that certificate which was issued by the Forensic laboratory.

That's the kind of assistance, I think, that is being referred to here.

MR VALLY: We'll come back to the destruction in a short while. That same letter, if you could go to paragraph 4B -

"The Surgeon-General was directly responsible for the development of front companies and was...."

DR KNOBEL: Which page are you referring to here Mr Vally?

MR VALLY: I am so sorry. If you go towards the beginning ...(intervention)

DR KNOBEL: You said paragraph 4B?

MR VALLY: Yes.

DR KNOBEL: That's below question 2.

MR VALLY: That's right.

DR KNOBEL: Well 4B doesn't say anything about Surgeon-General. It says - "Technology development programmes under the control of the Surgeon-General".

MR VALLY: Well what do you understand by that?

DR KNOBEL: Mr Vally any technology within a medical service within a Defence Force that has to be developed is under the control of the Surgeon-General. Any development, whether it be field ambulances or armoured vehicles that are used for evacuation of casualties, whether it be a new medical bag that can be dropped by parachute, that's technology that is being developed.

MR VALLY: Well let's talk about what this issue was about. The whole question was, "was involved in the management and handling of sensitive projects", and we have been talking - this whole hearing has been centring around chemical and biological warfare under the cover of Project Coast. The question is this - the technological development relating to Project Coast, did that fall under the control of the Surgeon-General?

DR KNOBEL: Yes Sir.

MR VALLY: So you should have been kept aware at all stages of whatever developments had been taking place both on the chemical front and the biological front.

DR KNOBEL: Certainly, but that was only one project of the Medical Service. There were many, many others that this officer was also responsible for.

MR VALLY: Well let's talk specifically about that. Yet on the chemical and biological side you were not the expert, you were reliant on Brig Basson.

DR KNOBEL: Certainly. If you read this paragraph you will see that this says, "since April '81". I only joined the National Defence Force, or the South African Defence Force in January '81, and I have already testified to you that the first year I was totally involved in a staff course at the Army College and my next year in the Joint Staff course at the Joint Staff College. My first introduction to this project was from 1983 onwards. It was then under the control of General Niewoudt until 1988, and I took over in March 1988. So certainly, but there were many other projects also within the Medical Service.

It here refers specifically to the question with regards to sensitive projects.

MR VALLY: Right.

DR KNOBEL: Any new development in a military environment is of a secret nature.

MR VALLY: Well let's restrain ourselves to Project Coast.

DR KNOBEL: Surely.

MR VALLY: If - we go on, if you look at page 7 paragraph 23 the same document, the controlling body, the Coordinating Management Committee, the group of generals that we've referred to in the past ...(intervention)

DR KNOBEL: That's correct.

MR VALLY: After '88 they met once a year to approve the budget. So the question is, who apart from Brig Basson was briefed and kept abreast of the activities of the programme?

DR KNOBEL: Certainly I had to be briefed and also the Chief of the Defence Force. The full Coordinating Management Committee met really only for budgetary purposes after '81. As I indicated here Mr Vally, when I took over as Surgeon-General the first thing that I did with regards to this project was to get a full briefing on it and to find out exactly where we stood with regards to achieving the objectives which had been approved for this particular project. I then was satisfied that we had achieved most of our objectives.

Secondly, the threat that existed before and it was perceived to exist within Angola, and particularly within the surrogate forces, the Cuban forces and so on, was diminishing because the Defence Force were involved in the negotiating process which led to the withdrawal of the Cubans from Angola.

Thirdly, the budgetary allocation to the project was being reduced because of general budgetary cuts within the Defence Force. My attitude was that, as far as I could determine, certainly with regards to the defensive equipment that had been developed, we had satisfied all the objectives.

However, as I indicated in some other documents and as I indicated to you with regard to the briefing to the State President later on, South Africa was moving towards a negotiating process. We were involved in - or we were very much aware of mass action and riot control and emergency situations which were declared by the President, and the emphasis then turned to what we called "dual use" chemical agents. CR was already available as an outstanding anti-riot agent, but also as an alternative to a retaliatory agent which could be used on the battlefield. The battlefield threat was diminishing, the riot situation was increasing. That is why the emphasis fell onto the incapacitating agents and the four varieties that were investigated.

So what I am saying here is, for that purpose the project had to continue, the Coordinating Management Committee overruled my suggestion that we should consider beginning to scale it down and begin with the privatisation and commercialisation process immediately; that we should continue with the incapacitating agents. When the briefing was given to the President he confirmed that and he also gave the indication that we should continue.

At the same time you must remember I was the advisor to the Department of Foreign Affairs with regards to what was happening on the international front in terms of the convention. In 1989, a year after I became Surgeon-General, I accompanied Mr Pik Botha to a conference in Paris where the countries that had signed the original chemical weapons convention, the old 1925 Protocol, and many other countries had decided that that Protocol was redundant, that it was not wide enough, it didn't cover the field properly, and a new chemical convention would have to be designed and signed. That was in 1989.

At that time I was given the responsibility, as was my predecessor, to ensure that whatever happens in the project takes place within the parameters of the existing conventions as well as this convention which was going to be signed in the future. So we literally had from 1989 until the actual convention was signed. The convention, as you know, was signed in 1993 and

you know what happened when we were due to sign it and what I reported to the Minister.

So I am saying the Coordinating Management Committee met on an annual basis to approve the budget but there were other meetings held where it was mainly the Chief of the Defence Force and mainly the Chief of Staff, Finance and the Chief of Staff, Intelligence, and myself that had briefings from the project officer about what progress was made with regard to the project.

MR VALLY: I want to come back to Annexure E which deals with the destruction of documents. What I need to know - not documents, I beg your pardon, destruction of the substances, ostensibly the substances which were dropped into the ocean. Can you briefly tell me who was responsible for taking samples out of the drums which were subsequently dropped into the ocean?

DR KNOBEL: No Mr Vally I am not quite sure whether I can ...(intervention)

MR VALLY: Alright ...(intervention)

DR KNOBEL: It was reported to us that the samples were taken in the presence of Commandant de Bruin. Whether it was taken by Brig Basson himself or not I can't verify.

MR VALLY: So ...(intervention)

DR KNOBEL: In fact I think if we look at the minutes of the Coordinating Management Committee we might be able to get the answer to that. I have given you all the minutes.

MR VALLY: Because the possibility exists that Brig Basson himself ...(intervention)

DR KNOBEL: No I beg your pardon - sorry Mr Vally.

MR VALLY: Sure.

DR KNOBEL: If you look at the minutes of the meeting of the 29th of January '93, which is in this Annexure here.

MR VALLY: Yes.

DR KNOBEL: If you page to paragraph 6.

MR VALLY: Right.

DR KNOBEL: Brigadier Basson reports -

"During the destruction samples were taken by the representative of HDTI for identification if possible".

In other words he states there that Commandant de Bruin took the samples.

MR VALLY: I am sorry, who is HDTI?

DR KNOBEL: "Hoof direkteur teeninligting", that's a subdivision of Chief of Staff, Intelligence.

MR VALLY: Right. But this was Brig Basson's report.

DR KNOBEL: This is what he reports at the Coordinating Management ... (intervention)

MR VALLY: Right, and do you have any confirmation of that anywhere?

DR KNOBEL: No Sir, this is the confirmation I have.

MR VALLY: Which is Brig Basson saying yes, we took samples and yes there were these items.

DR KNOBEL: That's correct.

MR VALLY: So if he misled you, you wouldn't know whether the items, and we are talking methaqualone, we are talking ecstasy etc, were in fact destroyed or not?

DR KNOBEL: Yes I suppose so Mr Vally.

MS SOOKA: I think General the question perhaps one should ask is, besides Brig Basson, was there an independent witness to the destruction of these substances? Apart from Brig Basson of course.

DR KNOBEL: Ms Sooka if you look in the same appendix there were certainly Air Force personnel that flew the aircraft and cabin personnel that had to assist the opening of the hatch so that the containers could be put into the sea. Furthermore Commandant de Bruin was there on behalf of the Director of Counter-Intelligence, Chief Director of Counter Intelligence of the Chief of Staff Intelligence. Who else was present I don't know, but I think there were sufficient number of witnesses to the fact that the aircraft flew out, that those drums had been pushed into the sea and that samples had been taken by de Bruin. Certainly, from my perspective, there was more than sufficient evidence that - I had no reason to doubt that that had in fact taken place.

DR ORR: Dr Randera.

DR RANDERA: General just remind me, wasn't this already at a time when there was suspicion in your own mind about Brig Basson's involvement ... (intervention)

DR KNOBEL: Dr Randera no, you are right ... (intervention)

DR RANDERA: So I just - so it's just a yes or no answer, yes there was some suspicion ... (intervention)

DR KNOBEL: Well it's very close. You see there was suspicion obviously because of the fact that he had been dismissed by the President.

DR RANDERA: Right.

DR KNOBEL: His dismissal was only going to take place two months later though.

DR RANDERA: But yet he is put in charge of going and dumping this - and taking the samples. Now of course you know you can throw it back at me and say it was all based on trust at the time, but it - you know it does sound a little suspicious that the person who is actually perhaps involved, "perhaps" and I am putting the "perhaps" in, is then put in charge of dumping the stuff as well and taking the samples.

DR KNOBEL: No Sir. The samples were taken by, according to his evidence, by Dr de Bruin. But Dr Randera you must also be reasonable. Suspicion at the time was considered by General Liebenberg to be of no significance. As I testified the other day he assured me that the d'Oliviera Commission would be looking into it. I had just received the letter from the OSEO, the very one that we discussed a few minutes ago. After the briefing to the Minister I have informed the Minister about the letter that I received from OSEO, and in fact I gave him a copy of the letter and my reply.

So, yes, there was sufficient suspicion in my mind, or uncertainty in my mind that I wanted to bring this to the attention of the Minister. But on those grounds to now say under no circumstances will this officer be involved in any further activity of this project, that's a different matter altogether.

DR RANDERA: Sorry I did actually pose this question to you last time.

DR KNOBEL: Yes I know you did.

DR RANDERA: But this is the President of the country has decided that this man needs to be dismissed, so we are not talking about somebody who is not in an executive position. I mean the highest executive in the country has decided. Now I know, I've looked at some of the documents that have come from the Steyn report, and you can tell me it was based on suspicion, but nonetheless there were question marks being posed. Suspicions yes, but the President of the country has decided. Now are you implying or saying to us that perhaps there's another grouping in the Army that really were not taking the President's word into consideration, but were saying, well no, no we'll continue because this is still suspicion and although you've dismissed him, you've brought him back in another capacity you still put him in charge in doing things that are of a very important and serious nature.

DR KNOBEL: Dr Randera, certainly with the wisdom of hindsight I might agree with you, but let me just try and explain to you what the position was at the time.

I confronted Dr Basson directly about the dismissal as a result of the so-called Steyn Report. I was assured by him that there was no foundation, that he

had not been charged with anything, he was not even given the opportunity to reply to any questions. I had not seen the contents of the Steyn report as I testified to you the other day. I did in fact not see that staff paper until '97 ... (intervention)

DR RANDERA: General let me just ask you another question. Do you have any information - Brig Basson was not the only person dismissed at the time from the army.

DR KNOBEL: Yes.

DR RANDERA: Many, very many generals were, were ... (intervention)

DR KNOBEL: 23.

DR RANDERA: ...were dismissed.

DR KNOBEL: 23 senior officers.

DR RANDERA: Now were any of those generals re-employed in very important positions? And General you know you can tell me in retrospect and with hindsight you can be wise, but were there any other generals, was there any other general brought back to a position of responsibility? I mean you're not - we are listening here not only about the destruction of - alleged destruction of a 1000 kgs of ecstasy and mandrax. We've heard early on about how the contract to put all the information on disk by Dr Mijburgh's company is also given by Brig Basson to Dr Mijburgh, and that's also after he's been dismissed.

DR KNOBEL: And furthermore the present President of the country ... (intervention)

DR RANDERA: No, no, no, no, no, sorry let's leave the present President out of the debate and discussion, General I am posing the question to you, not to ... (intervention)

COUNSEL FOR KNOBEL: Doctor I object, let my client please finish answering the question. Thank you.

DR KNOBEL: Dr Randera I think you are a bit unfair. I explained to you that I had some misgivings. I even tried to see the President personally. I wanted to clarify the position about the identity of the Basson that was dismissed because there was a lot of uncertainty in my mind as to whether ... (intervention)

DR ORR: I don't mean to interrupt your answer, but you are not answering the question ... (intervention)

DR KNOBEL: No, but I am about ... (intervention)

DR ORR: ...he asked if any other senior officers were given positions of such responsibility after they had been dismissed. The answer is yes or no.

DR KNOBEL: No I am sorry Madam Acting Chair, if you are not going to allow me to explain the circumstances then I will not answer the question. I am not aware of anybody else that had been reappointed. I do know that some of those other officers successfully took action, legal action against the State for dismissing them unfairly. But if you are not going to allow me to answer the question then by all means say so and then I will only say yes or no.

DR ORR: Well you have answered the question and you have answered that no other senior officers were so-appointed.

DR KNOBEL: I am not aware of whether any other officers were re-employed. But certainly this one was re-employed and also with the approval of the present State President.

DR ORR: Ms Sooka.

MS SOOKA: General, I have just been reading through that document and I wonder if you received an explanation from Mr de Bruin about how this process was actually done. Because just reading it through, and some of it is quite faint, it seems that samples were taken from these drums and it looks like they were handed back to Brig Basson and he then I think later did some tests on them and that was given back to Mr de Bruin. So you know it seems like all the kind of proof that one needs that this was the actual substance that was destroyed all the testing seems to be done by Brig Basson. Now can you help me out a little bit with that ...(intervention)

DR KNOBEL: No, no, the testing wasn't done by - you mean the actual sampling?

MS SOOKA: Yes.

DR KNOBEL: No that's not as I understood it. The report that were given here was that it was taken by Commandant de Bruin, and if you read that paragraph further you will see that the Chief of the Defence Force indicated that Chief of Staff, or Chief Director Counter Intelligence should retain those samples until after the destruction was confirmed to the Minister, and if the Minister had no further reasons to keep those samples they could then be destroyed. That was the information that we had.

MS SOOKA: If you read the handwriting in pen it says ...(intervention)

DR KNOBEL: Oh you mean in the destruction report as such?

MS SOOKA: Yes, yes, yes.

DR KNOBEL: Yes.

MS SOOKA: It says -

"The three samples were later handed to Commandant de Bruin after they were...."

and I can't actually read, ja...

"The samples were taken on the day of the destruction...."

and that is signed by Brig Basson. So it's a little confusing about how this process actually took place.

DR KNOBEL: If you read the main document Ms Sooka, if you look at paragraph 3, this document was drawn up by Commandant de Bruin, it is signed by Commandant de Bruin, at the top of page 4 -

"The samples were taken from four of the drums and are currently in my possession. On the 30 March Brig Basson handed over three further samples to me and those are also currently in my position".

The reason that was done was that all three of those substances were dangerous substances and had to be deactivated and this is what Basson writes at the bottom here. He says -

"The three samples were later handed over after they were deactivated".

I agree with you that that seems a strange way of doing it. I would have personally been happier if that had not taken place.

MS SOOKA: So I just want to get it right. The samples were taken on the day but he then keeps those samples until they are deactivated and then he gives them over.

DR KNOBEL: No, no, no it's not right Ms Sooka. If you take paragraph 3, let's read the whole paragraph. Do you understand Afrikaans?

MS SOOKA: Yes I do.

DR KNOBEL: Okay.

"The content of the load was supplied on the 30th of March 1993 by Brig Basson".

That means all the big drums are available ...(intervention)

MS SOOKA: Sorry General I've read all that part. Just explain to me what those "opmerkings" actually mean please.

DR KNOBEL: It means that three further samples were taken, over and above the ones that had already been taken by Commandant de Bruin. You remember it says there de Bruin had the samples that he had taken in his possession. They never left his possession.

MS SOOKA: Yes, but it then goes on to say ...(intervention)

DR KNOBEL: Three further samples.

MS SOOKA: ...(indistinct)

MR VALLY: I am sorry if I could just, on this very issue, I am sorry Ms Sooka, we are trying to determine what was in fact thrown out of the plane into the sea. To follow up what Ms Sooka is saying, at the bottom of the page, page E3 -

"The samples were taken out of three of these blue plastic drums and are currently in my possession".

Samples were taken and is in my possession.

DR KNOBEL: Yes.

MR VALLY: Not "ek het die monsters geneem". That's the first question.

The second question the following sentence -

"On the 30th of March Brig Basson handed over three further samples (one each of products BC and BX) and handed over to me".

DR KNOBEL: That's correct.

MR VALLY: Where he got it from, when he took it is not clear. So we've got three samples which he has in his possession which were taken, but he doesn't say, "I took them", this is now Commandant de Bruin.

DR KNOBEL: No, but in the minutes of the Coordinating Management Committee meeting Brig Basson reports that Commandant de Bruin took ...(intervention)

MR VALLY: That's the point. That's Brig Basson's version. I am saying this is the actual version signed by de Bruin.

DR KNOBEL: That's correct.

MR VALLY: He says three samples were taken and are in my possession. Not "I took them", that's the first question.

The second question, he says on 30th March Brig Basson gave me three further samples.

DR KNOBEL: That's correct.

MR VALLY: Now when he took it, where he took it from, that's not clear.

DR KNOBEL: Well he says there that it was taken on the day of the destruction.

MR VALLY: Right. But he gave it to Commandant de Bruin.

DR KNOBEL: That's correct.

MR VALLY: So what was in the drums is the same thing as he gave Commandant de Bruin, those three samples, that's not clear.

DR KNOBEL: Mr Vally but surely if we call upon Commandant de Bruin to give us the information we could clarify that quickly ...(intervention)

MR VALLY: Possibly, but I am posing to you at this point that we don't have unambiguous evidence that the drums that were dropped into the sea contained the substances they were supposed to have contained.

Let's go into the "opmerkings" that Ms Sooka was asking you about.

"The three samples were later handed to Commandant de Bruin after they were deactivated. The samples were taken on the day of the destruction".
and that's got Brig Basson's signature there.

DR KNOBEL: That's correct.

MR VALLY: The implication again is that whatever Commandant de Bruin was looking at was supplied to him by Brig Basson.

DR KNOBEL: No, I don't agree with that Mr Vally. We have two sets of samples here. We have samples that were in the possession of Commandant de Bruin and that he kept in his possession and that the Chief of the National Defence Force said should be kept by him at the Chief of Counter Intelligence's office, in addition to the three that he was given by Basson. That's what we have here.

MR VALLY: Well we are not going to get much further on this issue. You know for me there's two dates, the first date is the 27th of January 1993 and I will read that to you.

"Brig Basson upon arrival at 28 Squadron..."

DR KNOBEL: Which document are you referring to now?

MR VALLY:document.

DR KNOBEL: Oh yes I am sorry, yes.

MR VALLY: Sorry, let's start again.

DR KNOBEL: Paragraph 3, yes, okay.

MR VALLY: E3, the second last sentence.

"Brig Basson arrived there on the 27th of January 1993 and insisted...."

he says that they must take out samples from the blue plastic holders. This is now Brig Basson on the 27th of January.

DR KNOBEL: That's correct.

MR VALLY: That's the date. Then it says the sample is taken out of four of the plastic drums.

DR KNOBEL: "And is in my possession".

MR VALLY: "And is presently in my possession".

DR KNOBEL: Yes.

MR VALLY: Letter dated 30th of March. Then it goes on to say, on the 30th of March Brig Basson gave me three further samples, one each of products BC and BX.

DR KNOBEL: Yes.

MR VALLY: "Gave it to me and those are presently in my possession". So we have samples ...(intervention)

DR KNOBEL: He has now got seven samples if I read this correctly.

MR VALLY: Well - yes that's right. We've got samples taken on the 27th of January and we've got samples given to him ...(intervention)

DR KNOBEL: On the 30th of ...(intervention)

MR VALLY: On the day of destruction.

DR KNOBEL: That's correct.

MR VALLY: By Brig Basson.

DR KNOBEL: That's correct. No Mr Vally you are not right. Given on the 30th, taken on the 27th, according to what Brig Basson says here.

MR VALLY: Well maybe we need to get clarity on that, because it says in Commandant de Bruin's statement, and I am talking about the first sentence on page 2 -

"On the 30th of March 1993 Brig Basson, three further samples..."

DR KNOBEL: That's exactly what I said Mr Vally.

MR VALLY: Fine. One each of those products.

DR KNOBEL: "Which is also now in my possession..." and the letter is dated the 30th of March.

MR VALLY: Right. So for all we know Brig Basson may have got it from somewhere else.

DR KNOBEL: That's a possibility, yes.

MR VALLY: Yes. And therefore on the day the drums were dropped into the sea, which is the 30th of March ...(intervention)

DR KNOBEL: No, which was the 27th of March.

MR VALLY: I beg your pardon, I beg your pardon.

DR KNOBEL: If you look at the first paragraph of that letter.

MR VALLY: Yes.

DR KNOBEL: "On the 27th....", I beg your pardon, "On the 27th of January..." ...(intervention)

MR VALLY: Right.

DR KNOBEL: "...destroyed in my presence".

MR VALLY: Okay sorry, I beg your pardon. You are right.

DR KNOBEL: You see what I mean now.

MR VALLY: Yes, yes.

DR KNOBEL: But the letter, the certificate that we have here was signed on the 30th of March.

MR VALLY: Yes. But why did Brig Basson give the further three samples on the 30th of March to Commandant de Bruin?

DR KNOBEL: I have no idea, I think we should clarify that ...(intervention)

MR VALLY: If the items were allegedly destroyed already.

DR KNOBEL: I beg your pardon Mr Vally.

MR VALLY: If the drums were allegedly already in the sea.

DR KNOBEL: Yes but he says that he also took those samples on the 27th of January, at the day of the destruction. He says so.

MR VALLY: He says he had it in his possession. He didn't say he took it. Alright.

DR KNOBEL: Mr Vally please ...(intervention)

MR VALLY: Sure.

DR KNOBEL: Brigadier Basson says -

"The samples were taken on the day of the destruction".
that was the 27th of January.

MR VALLY: Brig Basson says that.

DR KNOBEL: He says that.

MR VALLY: Right.

DR KNOBEL: This is what ...(intervention)

MR VALLY: Well that's the whole point. The question we are asking is, can we trust Brig Basson?

DR KNOBEL: At the time I didn't have, and certainly the Chief of the Defence Force, and certainly the entire Coordinating Management Committee did not think that there was any reason to doubt his word.

MR VALLY: We are talking 30th March 1993 now.

DR KNOBEL: That's correct.

CHAIRPERSON: Mr Vally the two Commissioners would like to clarify some questions in the light of the evidence just led, Dr Randera and thereafter Mrs Sooka.

DR RANDERA: General just, I mean we have got to the samples now and clearly there seems to be an understanding of trust, distrust that's taken place, now what happens to these samples?

DR KNOBEL: The samples were ...(intervention)

DR RANDERA: And where are they? Were they tested?

DR KNOBEL: Yes Sir, yes Sir they were then taken to the Forensic laboratory of the Police and you have attached to this document the affidavit of, I think it was a Brigadier, yes Brig Strauss who says that he received these samples from Colonel Steyn. So what happened here is the samples were then handed over by Commandant de Bruin to Colonel Steyn. Colonel Steyn took it to the Forensic laboratory, they tested each of these samples and they - rather Brig Strauss then confirmed what the contents were of each of the samples.

CHAIRPERSON: Dr Randera?

DR RANDERA: No I am fine.

CHAIRPERSON: Mrs Sooka.

MS SOOKA: General you see it actually gets quite strange because these things are destroyed on the 27th of January, but we've got samples taken firstly by - the first four samples, then later we have the next three samples.

DR KNOBEL: Yes.

MS SOOKA: My understanding of the way this reads is that some of these samples are kept by Commander de Bruin. But then in paragraph 4 he says - "Please make a decision regarding what we must about these samples".

Then you get the remarks of Brig Basson which says, the three that he had they are later given to Commandant de Bruin because they are now deactivated.

DR KNOBEL: Yes.

MS SOOKA: And he tells de Bruin that these were taken on the day of the destruction. So everything is Basson, Basson, Basson. Now we don't know where these are kept, but the date when they are actually tested is on the 3rd of May 1993. Now I find that very difficult because here we are, we are talking about the destruction of substances which have quite a serious problem. They are a serious problem for your particular unit. If I was in charge I would want to see them tested on the same day. I would want to see that the samples I take, I test them immediately and I make sure that I follow them all the way out to the sea if I can, to make sure that they disposed off. I can't understand all these delays in the process but also the reliance on Brigadier Basson, knowing at that time that there's a huge question mark around him.

DR KNOBEL: I'm not so sure about the huge question mark but we won't discuss that again. I've already given an answer to that. But if you look at the chronology here Miss Sooka, the minutes of the meetings of the Coordinating Management Committee meeting is the 29th of January, that is two days after the actual destruction took place. In those minutes Brigadier Basson gives

feedback in paragraph 5 about what had occurred, he indicates that the police were not prepared to go along with the flight, that we would ask the Director of Counter Intelligence to issue a certificate. He also says that they took samples.

The Chief of the Defence Force then says it should be kept by the Chief Director of Counter Intelligence until the destruction has been confirmed to the Minister and if he then has no further problems with it then the samples can be destroyed. That's the instruction of the Chief of the Defence Force.

When the feedback was given to the Minister we said: "Well what do we do with these samples, let's get confirmation of what is in it". Chief of Counter Intelligence doesn't have a laboratory capability, so the negotiations take place with the police service to see if they would be prepared to do this for us. That did take some time, you're quite right but we do have a certificate then which is available on the 30th of March and we have a document signed by Brigadier Strauss who says when did he actually test them.

MS SOOKA: Yes, but may I just ask another question? You see it says he took the following - he just talks about:

"die volgende verseelde monsters"

Now which is it, the three, the four? I'm not sure you see, you can't tell that from this document.

DR KNOBEL: He says he has a holder - if you look at Brigadier Strauss's document he says:

"A container marked amongst others, product B, container marked product BX, 1 marked product C and one with no alphabetic identification".

CHAIRPERSON: Thank you. Miss Sooka?

MS SOOKA: I think General, the point is you don't know which of the samples it is. Which are the ones he tests, does he test the first four that were taken, does he test the three that were later given? I can't make it out but I don't think we are going to get anywhere with this inquiry so perhaps I should just hold this, thank you.

DR KNOBEL: But if I may Mr Chairman. If you look at the certificate issued by Commandant de Bruyn, it says in paragraph 2:

"The cargo consisted of the following: 18 drums (product M), 73 white metal drums (product BX), 2 metal drums (product C), 2 small plastic containers (product F), 2 small metal drums (product C)".

And then he speaks about:

"B and B"

Those alphabetical indications in my opinion correspond to what Brigadier Strauss says in terms of B, BX and C. And certainly from a point of view of myself and the Coordinating Management Committee, B was the BZ analogue, BX was the baxil and C was the cocaine that we had reported before to the

Minister. At the time we were satisfied that that was the fact, it had been destroyed. I will admit that there are some uncertainties here and I understand the questions.

CHAIRPERSON: Mr Vally?

MR VALLY: Can I just ask you about, in that same bundle E3, the affidavit by Heinderich Frederich Strauss who was a Brigadier in the South African Police in the forensic laboratory, paragraph 3, do you know the document I'm talking about?

DR KNOBEL: Yes, I think so.

MR VALLY: He says: on the 3rd of May 1993 from Colonel Steyn he got the following sealed ...[intervention]

DR KNOBEL: I read that just now, yes, that's correct.

MR VALLY: Now the 3rd of May, is that the only time it was analysed?

DR KNOBEL: Mr Vally, that was the time that the forensic laboratory found time to do these investigations.

MR VALLY: Fair enough, alright. Well, let's take it further, 3.1, 3.2, 3.3 and 3.4, he says:

"3.1 A container marked: Product B

3.2 A container marked: Product BX

3.3 A container marked: Product C

and:

3.4 A container with no alphabetical identification"

DR KNOBEL: Yes.

MR VALLY: Do you see that?

DR KNOBEL: Yes. Firstly, Colonel Steyn, is Colonel Steyn the gentleman who is your assistant?

DR KNOBEL: He took over as Project Officer on the 1st of April 1993.

MR VALLY: Right, so he's the person who hands this over, and do we know how it gets to him?

DR KNOBEL: Yes, he can testify to that, I questioned him about it. He fetched the samples which were still at the Director of Counter Intelligence and physically took it to the forensic laboratory.

MR VALLY: Right. Clearly from the way the samples are marked in paragraph 3 of Brigadier Strauss' affidavit, that ties in very closely with this document by Commandant de Bruyn:

"On the 30th of March 1993, Brigadier Basson gave me three further samples: (1 each of products B, C, and BX)

DR KNOBEL: Yes.

MR VALLY: How would he know that on the 30th of March? How would Commandant de Bruyn know that the three further samples given to him on the 30th of March by Brigadier Basson were these items that we're talking about because they had not been analysed?

DR KNOBEL: He's simply using the alphabetical indication of the holders that had been marked in that way.

MR VALLY: Exactly. So that these samples, and there are four samples which were tested by the forensic laboratory by Brigadier Strauss, one with product B, one with product BX, one with product C, all three items supplied by Brigadier Basson.

DR KNOBEL: In addition to the four.

MR VALLY: And a fourth container with no alphabetical identification.

DR KNOBEL: Yes, but it's in addition to the four that Commandant de Bruyn had in his possession.

MR VALLY: Why do we say that?

DR KNOBEL: Because those were the samples that were handed over to the forensic laboratory.

DR KNOBEL: Is there a reference to another four samples handed in anywhere?

DR KNOBEL: Yes, if you look at the top of page 2 of the document by Commandant de Bruyn, he says:

"Four of the plastic drums were taken, samples were taken and is in my possession"

MR VALLY: I understand but I'm trying to work out what happened to those four samples.

DR KNOBEL: I think what we should do is we should get Commandant de Bruyn to come and testify here.

MR VALLY: Possibly.

DR KNOBEL: Then you maybe will find out exactly.

MR VALLY: In terms of the documentation supplied to us at the moment, Brigadier Strauss was only given on the 30th of May 1993 by Colonel Steyn, four samples, one marked product B, one marked product BX, one marked product C. These were the one supplied by Brigadier Basson, we can work that out, and with no identification on it. Can we accept that as being the logical ...[intervention]

DR KNOBEL: This is what he declares here, yes.

MR VALLY: Yes.

DR KNOBEL: Yes.

MR VALLY: And he's the person who did the analysis and determined what the substances were?

DR KNOBEL: Yes.

MR VALLY: And so this report to the Coordinating Management Committee which I believe was on the 29th of January, is that right?

DR KNOBEL: 29th of January, yes.

MR VALLY: At that stage they didn't know what was in the samples at all.

DR KNOBEL: Not yet, they were waiting for the report of the - if you look at the meeting of the 31st of March of the Coordinating Management Committee which is also in that folder.

MR VALLY: Yes?

DR KNOBEL: Paragraph 5, the certificate:

"Brigadier Basson handed over the destruction certificate to me. The sample is still in the possession of the security officer and Basson once again confirmed that the samples were taken by the security officer himself. After a long discussion it was decided that GG would request Compol to analyse these samples at the forensic laboratory and afterwards to destroy the certificates"

Now you see the chronological process that was followed here?

MR VALLY: Yes.

DR KNOBEL: That's why the tests were only done after the 30th or 31st of March.

MR VALLY: And that concerns me even more but if we can get some explanation, what does it mean to deactivate these samples?

DR KNOBEL: I think we should ask Professor Folb what that means, I don't know ...[intervention]

MR VALLY: Well, the question that I'm asking is in fact a question that Professor Folb is also asking. What did it mean when Brigadier Basson said that:

"I deactivated these samples"

DR KNOBEL: I've no idea what that means.

MR VALLY: Now let's go on to the time when you were called back from a conference overseas. I think you were in London and you were appointed acting head of the South African Defence Force when all the Generals were suspended, including Brigadier Basson, do you recall that?

DR KNOBEL: Yes, I do but they were not all Generals Mr Vally, there was 23 senior officers.

MR VALLY: I beg your pardon, 23 senior officers. And when was this? I tried to see a date in your statement.

DR KNOBEL: The conference that I attended in America is usually the first two weeks in November and I was on my way back to South African and I went to visit a pharmaceutical plant in Nottingham, so this was towards the end of November.

MR VALLY: Alright. It appears to have been sometime in December 1992 apparently.

DR KNOBEL: Yes, in December I was appointed as Acting Chief of the Defence Force, on my return.

MR VALLY: Right. Now, if you go to document TRC111 which was the preparatory document by General Steyn.

DR KNOBEL: Yes, Sir?

MR VALLY: And if you look at page B12.

DR KNOBEL: Right, B12?

MR VALLY: That's right. And I assume by this stage this information was already with at least certain elements in Defence Force, at least General Steyn knew about this information?

DR KNOBEL: Yes.

MR VALLY: B12, the 3rd paragraph which reads:

"Information supplied by sources"

and you read the last sentence:

"Wouter Basson"

and it's not clear, it looks like: "who" on mine:

"also in respect of a hundred thousand mandrax tablets per month for year, he offered this"

and in brackets next to it:

(allegations)

Do you see what I'm referring to?

DR KNOBEL: Yes, yes, I've got it.

MR VALLY: When you were acting head of the Defence Force for a short period, were you aware of this allegation?

DR KNOBEL: Of course not, I have already testified to that effect. I've testified twice already that when I discussed it with General Steyn, he indicated to me that he could not make known to me the contents of his report to Mr de

Klerk. When I tried to discuss it with Mr de Klerk, he refused to see me. When I wanted to have access to the so-called report, it was not made available. Even today we're not sure if there was an actual report, as you well know. This particular document I indicated to you in my affidavit, I've been given a copy of, a translated copy of by National Intelligence in, I think the date is written on it, it's one of the documents that I've given you ...[intervention]

MR VALLY: I think you said '97.

DR KNOBEL: Yes, the date is actually written on it. That was the very first time that I had insight into the so-called Steyn Report or at least into the staff paper used by General Steyn.

MR VALLY: In any event there must have been people within the military for General Steyn to have made this allegation about a hundred thousand mandrax tablets being offered per month. There must have been a basis for such an allegation.

DR KNOBEL: There might have been, I have no idea.

MR VALLY: Which was within the knowledge of at least General Steyn?

DR KNOBEL: Yes, that is true.

MR VALLY: Mr Chairperson, we are going to be some time still, so I need to ascertain whether we are going to finish early and continue tomorrow. We're not going to be able to finish, even if we were to sit till late today.

CHAIRPERSON: What do you want to do Mr Vally, what's your preference?

MR VALLY: Well, if we can carry on until at least four thirty and then, unless you want us to carry on much later and try and finish?

CHAIRPERSON: Well if it is your view that you are still going to much longer and that even if we sat late we would not be able to finish, this matter was set down for two days.

MR VALLY: If we work till six we may finish, if the panel is available and if my learned friends are available.

CHAIRPERSON: I don't know if we are available, all of us. The panel has been depleted by one member in circumstances which are not very clear to me at the moment. Let's tentatively work until half past four and then we'll see. Other counsel? Mr du Plessis?

MR DU PLESSIS: Mr Chairperson, there are probably certain aspects in re-examination, if I may call it that, that we will in any case ask to stand over until tomorrow.

CHAIRPERSON: Yes, yes.

MR VALLY: Well if we could move on to Annexure J of the documents you provided us with. Now this is a letter of demand as you are aware. I'm talking about J1 as well as J2, sorry, J1 is the letter of demand, I beg your pardon.

DR KNOBEL: Is that from Viljoen, French and Co?

MR VALLY: That's correct.

DR KNOBEL: I've got it.

MR VALLY: The 3rd paragraph, he refers to you as coordinator of the Baxil Project, Baxil we know is the code name for ecstasy.

DR KNOBEL: Yes, Sir.

MR VALLY: On what basis would they say that?

DR KNOBEL: May I just point out Mr Vally ...[intervention]

MR VALLY: Sure.

DR KNOBEL: You keep on saying this. Baxil to me did not mean ecstasy, let me make it very clear to you. Baxil was the product which is on the letter that I wrote in reply to a quotation for that formula which is written on that letter and which Doctor Koekemoer testified was not ecstasy, so please don't put words in my mouth. I did not sign an order for ecstasy. I signed an order for a product of which there's a formula there and which I was told is an incapacitating or a potential incapacitating agent.

MR VALLY: We had Doctor Koekemoer who testified that Baxil was the code name they used for MDMA which is called ecstasy.

DR KNOBEL: I've read the testimony of Doctor Koekemoer ...[intervention]

MR VALLY: And if you recall he said that formula seemed to be non-sensical.

DR KNOBEL: Well he may have said that but it wasn't non-sensical to me Mr Vally.

MR VALLY: Where did you get the formula from Doctor Knobel?

DR KNOBEL: That letter was drawn up by Brigadier Basson, as you could see from the top of the letter and I was informed that that was the incapacitating agent that they were going to study.

MR VALLY: So you were merely given a document with a formula that you don't understand with the name Baxil?

DR KNOBEL: Which my expert with a Master's Degree in Chemistry told me was an incapacitating agent.

MR VALLY: Alright, this is Brigadier Basson?

DR KNOBEL: Yes.

MR VALLY: And you accepted that?

DR KNOBEL: Yes.

MR VALLY: You've heard evidence by a number of people who said that Baxil was the code name for MDM ...[intervention]

DR KNOBEL: I've heard that evidence.

MR VALLY: ...[indistinct] or ecstasy.

DR KNOBEL: I've heard that evidence.

MR VALLY: And it's on that basis that I'm saying this.

DR KNOBEL: If it's on that basis it's fine but I don't want you to indicate that I knowingly ordered ecstasy to be produced.

MR VALLY: Well, you are aware ...[intervention]

DR KNOBEL: With the emphasis on the word knowingly.

MR VALLY: You are aware that there were concerns raised by Doctor Koekemoer?

DR KNOBEL: Yes, I heard, I heard that, I read that in his testimony.

MR VALLY: And you are aware that he went as far as talking to General Neethling about it?

DR KNOBEL: I didn't know that he had done it at the time Mr Vally, I read that in his evidence.

MR VALLY: I see. In any event, the first question, paragraph 3 of this letter, why did he believe that you were the coordinator of the project?

DR KNOBEL: I have no idea.

MR VALLY: Clearly from what he says here, he's threatening to go public unless the money which is allegedly owed to him is paid and to quote him:

"The abovementioned project was of an extremely sensitive nature and could have far reaching political ramifications should this matter have to go to Court and evidence be made available to the press and the general public"

Now, why would this issue be this sensitive, that it would have political ramifications and it would be sensitive, if Baxil was just any incapacitant like CR or CS gas?

DR KNOBEL: I gathered that the sensitivity was around the fact that this man had imported through his organisation a substance which was prohibited and which we were studying to make an incapacitant out of, and that he considered that international legal process to be of such a sensitive nature, that's how I understood it.

Let me just say that Mr Jerry Brandt phoned me repeatedly before this letter arrived, having tried to get Brigadier Basson to settle the account. And if you will look at the dates here you will see that it took yet another year before

the account was actually settlement, and it was because of the fact that Brigadier Basson was involved in the process in Switzerland at the time.

MR VALLY: An order is placed with you, with Doctor Mijburgh and you point out, we're talking about TRC77(a).

DR KNOBEL: Yes.

MR VALLY: With Brigadier Basson's reference up there, where he specifically says regarding the manufacture of this particular substance:

"Are you going to indemnify us against any prosecution"

DR KNOBEL: Yes.

MR VALLY: Sorry, your reply is that:

"We can only indemnify you once you've delivered it"

DR KNOBEL: Correct.

MR VALLY: Now did you have such queries about any other product that you people were busy with?

DR KNOBEL: All the incapacitants that we were dealing with were such types of substances.

MR VALLY: Did get any request?

DR KNOBEL: No, this was the only one that I got and the information that was given to me, that some of the scientists that were going to work on this had some reservations about this and they wanted to have confirmation that this was approved at the top level.

MR VALLY: And why were they concerned, what were the reservations?

DR KNOBEL: I've said to you that all the incapacitants that we were studying, the cannabis, the BZ and the methaqualone and this substance were all restricted substances in terms of ...[intervention]

MR VALLY: Yes, but the question is, why all this concern around Baxil?

DR KNOBEL: I've tried to explain to you that the information that was given to me was that one of the scientists or the scientists that were going to work with it at Delta G had indicated that they wanted an assurance that this order came from the Coordinating Management Committee.

MR VALLY: Did you not make further enquiries, especially since you're not a chemist, why were they so concerned about this particular product?

DR KNOBEL: Not any more than I've already said to you. I was aware that they were restricted substances and I was satisfied that this scientist had a good reason to want re-assurance.

MR VALLY: Because this is the very same substance which this attorney threatens to go public on and says there will be far reaching political ramifications. No alarm bells?

DR KNOBEL: This is March 1994 Mr Vally.

MR VALLY: That's the second one yes, sure. By this stage information had come out already ...[intervention]

DR KNOBEL: And the other one was February '94.

MR VALLY: Yes.

DR KNOBEL: That's a year later.

MR VALLY: No, the first one, the indemnity requested was August 1992.

DR KNOBEL: Yes, I understand but you're referring to this demand from Mr Brandt's lawyer's, that was a year later. By that time as I had testified already, we had informed the President that we were very concerned about Basson. We made it clear to him that we had realised that there was something seriously wrong. In February '94 was at the time of the demarche.

MR VALLY: If you can advise me as to why in November 1994 after the demarche and you were concerned, Brigadier Basson is still writing to you, and I refer to J2, regarding the claim by Mr Brandt? This is after you were concerned, after the demarche.

DR KNOBEL: That's correct, but it relates to a decision by the Coordinating Management Committee - let me just find that place and I'll show you, I want to show you two documents, if you look at the Coordinating Management Committee Meeting ...[intervention]

MR VALLY: Can you give me the reference please?

DR KNOBEL: Yes, let me just find the place Mr Vally. Could you just give me a moment because there is a document which it refers to, 24th of January - let me just see where it is dealt with, at the meeting of the 2nd of December 1994, I'm working backwards now but let me just deal with that one first Mr Vally, you'll see that the outstanding claim of Jerry Brandt is discussed there in paragraph 2. Now where it says there:

"The background of the claim is discussed by Brigadier Basson"
and there's a decision about what should be paid.

MR VALLY: ...[inaudible]

DR KNOBEL: Well, it's the Minutes of the Special Coordinating Management Committee held on the 2nd of December 1994.

MR VALLY: ...[inaudible]

DR KNOBEL: Sorry.

CHAIRPERSON: You're not on the record Mr Vally.

MR VALLY: I beg your pardon. Maybe you can just read that section into the record.

DR KNOBEL: You have it in front of you though.

MR VALLY: I've got from J1 to J5.

DR KNOBEL: You have in J, you have meeting held on the 29th of March '94.

MR VALLY: Yes?

DR KNOBEL: If you page through that document you get to a next meeting called: "A Special Coordinating Management Meeting".

MR VALLY: Yes, I see it now, thank you.

DR KNOBEL: Now at that meeting, it says:

"Brigadier Basson sketched the background of the claim of R350 000"

When this was discussed at the Coordinating Management Committee meeting, both myself and the Chief of the Defence Force wanted more background about exactly what work was done and what did it constitute and whether it was a fair amount of money to be paid. For that purpose Brigadier Basson was asked to obtain from Doctor Koekemoer, an explanation of the process that he had used and to what value it was for Delta G Scientific to get this information from Jerry Brandt.

Now the document that you are referring me to dated the 24th of November was sent to me by Doctor Basson in reply to that request from the Coordinating Management Committee with added to it the explanation of Doctor Koekemoer what he calls:

"A cost evaluation of the two routes for the preparation of that product"

So this document that you are referring to then served at this special meeting and it was a special meeting because by this time we had delayed the payment of that amount of money by almost a year and it had to be finalised, and therefore the meeting of the Special Committee took place on the 2nd of December, about a week after we received this document and then the decision was taken what could be paid.

MR VALLY: What is PMK?

DR KNOBEL: I beg your pardon?

MR VALLY: There's to payment for a formula, there's also reference to the delivery of PMK. We're talking a sum of ...[intervention]

DR KNOBEL: But would you please tell me where this document is?

MR VALLY: Certainly. If you look at the letter addressed to you dated the 22nd of March 1994, and then there's reference there to a previous letter dated

the 19th of February which is addressed to Sefmed Information Systems. Do you see the letter I'm talking about?

DR KNOBEL: Let me just find that.

MR VALLY: Look at the annexure to J1.

DR KNOBEL: I think I've got it. Is it the letter of Viljoen, French and ...[indistinct]?

MR VALLY: Same attorneys.

DR KNOBEL: Ja. I've no idea what that is, that is some code that they probably used for the same product, I'm not sure.

MR VALLY: Well:

"It is our instructions that in terms of an agreement reached between our client and yourselves, the formula for the manufacture of PMK was sold to yourselves for an amount of \$100 000"

DR KNOBEL: But ourselves is the Sefmed Information Systems.

MR VALLY: I understand that. Do you know the company Sefmed at all?

DR KNOBEL: Yes, I've heard of it.

MR VALLY: Is it a front company of the Defence Force?

DR KNOBEL: Yes, originally it was as far I remember. And you know that we've discussed this ...[indistinct] front of it.

MR VALLY: I beg your pardon?

DR KNOBEL: We've discussed the situation of what was front companies and what was not front companies.

MR VALLY: And do you know who the directors of this company are?

DR KNOBEL: No idea.

MR VALLY: There is also in that same letter to Sefmed, on page 2, there's also a claim of:

"A sum of R119 157 due to our clients in respect of the fourth delivery of PMK to you"

Do you see that?

DR KNOBEL: I see that, yes.

MR VALLY: In his letter, J1, the letter to you, he referred to his letter of demand to Sefmed Information Systems, which we heard from you at one stage was a front company for the Defence Force. In the very next sentence he says he's addressing the letter to you in your capacity as coordinator of the Baxil Project.

DR KNOBEL: Yes.

MR VALLY: The minutes of the meeting of the 2nd of December 1994, a special meeting you referred me to just now, you in the meeting of the Coordinating Management Committee with General Meiring present, yourself, Lieutenant General van Breedts, General Major Brocker, Brigadier Koertzen, Brigadier Basson and Colonel Steyn, agree to pay R350 000.

DR KNOBEL: Yes.

MR VALLY: What were you agreeing to pay R350 000 for?

DR KNOBEL: You mean R250 000?

MR VALLY: I beg your pardon, the claim that - alright, He says:

"The demand was R350 000 but we agreed to pay R250 000"

DR KNOBEL: Yes.

MR VALLY: Can you tell us what that was for?

DR KNOBEL: That was for the product that had been imported to South Africa through Organochem by Jerry Brandt as well as for the formula that he provided and which Koekemoer comments about.

MR VALLY: When you say: "Koekemoer comments about", is it the ...[intervention]

DR KNOBEL: The route that was followed, the scientific ...[intervention]

MR VALLY: The baxil formula?

DR KNOBEL: Yes.

MR VALLY: What Doctor Koekemoer advised us was ecstasy, is that what you're referring to?

DR KNOBEL: That's what I'm referring to, yes.

MR VALLY: So can we assume that the PMK being referred to is also ecstasy?

DR KNOBEL: No, Mr Vally, I don't know whether we can assume that at all, I'm not sure.

MR VALLY: Well I'm trying to work it out you know. R250 000 of taxpayers money went to pay for a product of which we only know the code name and we also got a delivery of the product which was a fourth delivery, according to the letter to Sefmed which was a military front company.

DR KNOBEL: Yes.

MR VALLY: And if you're referring to Doctor Koekemoer, the formula he was given and the product he made was ecstasy, he told us that.

DR KNOBEL: That's correct.

MR VALLY: So is that the formula we're talking about?

DR KNOBEL: I suppose so Mr Vally.

MR VALLY: So are we to assume that not only were we manufacturing ecstasy ourselves but we were also importing ecstasy?

DR KNOBEL: No, I'm not saying that at all, I'm saying ...[intervention]

MR VALLY: Well, that's what I'm trying to find out.

DR KNOBEL: Well Mr Vally, I've tried to say to you before that both with the methaqualone and with other products we were trying to get pure basic ground substances so that we could use it to produce an incapacitating agent. This is the information that was given to me and to the Coordinating Management Committee, that this man had not only imported substances to us, and he did so illegally and he did so from Britain, but also he provided us with a particular formula.

When the Coordinating Management Committee wasn't satisfied with that explanation they said: "We want a written document where the scientists at Delta G informs us of whether this in fact saved this country money, yes indeed, is it a good price to pay". And that is the document that you referred me to, which was discussed at the Coordinating Management Committee. On the basis of that it was decided to pay this man.

And you will notice that Basson indicated that R250 000 would be correct. I questions that, I said: "What did he quote you before and what did you agree to pay"? And is at the end of that special meeting, you will see my remarks there with reference to paragraph 2:

"It is recommended that the amount be decided on afresh"

And in the end the Coordinating Management Committee Meeting agreed that this man's delivery of a product as well as of a formula was valuable and deserved to be paid the amount that he had asked us to pay. That is what was ultimately agreed to and which was paid.

And as you yourself indicated, at this meeting was present, not only the Chief of Staff Finance, the Acting Chief of Staff Finance but also Brigadier Koertzen who I explained to you before in my testimony last time was the expert on financial aspects of Project Coast. We had him there so as to advise us as to the reasonableness of paying that amount.

MR VALLY: The only expert you had from the chemical side was Brigadier Basson again?

DR KNOBEL: That's correct. And later on Colonel Steyn of course.

MR VALLY: Well Colonel Steyn's name is on there.

DR KNOBEL: Yes.

MR VALLY: But Colonel Steyn and Brigadier Basson worked together at various times?

DR KNOBEL: Mr Vally, you and I ...[intervention]

MR VALLY: I'm asking you a question ...[intervention]

DR KNOBEL: You and I are also working together now and I worked with Colonel Steyn, are you now suggesting that I couldn't have trusted Colonel Steyn either?

MR VALLY: No, my question is very simple, that this Coordinating Management Committee agreed to pay R250 000 for a formula and for a substance which they knew nothing about except Brigadier Basson, is that correct?

DR KNOBEL: Yes, that's correct. But we had some documentation also from Doctor Koekemoer. Have you read the document of Doctor Koekemoer where he in fact says that this saved us a lot of money?

MR VALLY: Doctor Koekemoer was very nervous about making ecstasy and went to see General Neethling about it.

DR KNOBEL: That may be true but his nervousness does not come out of this document that we had in front of us at the Coordinating Management Committee, there he gives us the facts that we asked him for.

CHAIRPERSON: I'm certainly nervous about whether or not we are going to be finishing today and that having been your invitation Mr Vally, I think this would be a convenient stage to take the adjournment until 9 o'clock and I would hope that by lunchtime we will have finished.

MR VALLY: Thank you Mr Chair.

DR KNOBEL: Thank you Mr Chairperson.

CHAIRPERSON: We will adjourn until 9 o'clock tomorrow.

COMMITTEE ADJOURNS TILL 8TH JULY 1998 AT 09H00

ON RESUMPTION 8TH JULY 1998 - DAY 2

CHAIRPERSON: Let's get ready to start ladies and gentlemen. This is a resumption of evidence being taken from Doctor Knobel, and who I have to remind is still under oath.

NEIL KNOBEL: (s.u.o.)

CHAIRPERSON: Mr Vally?

MR VALLY: Thank you Mr Chair.

CHAIRPERSON: I believe that you and Doctor Basson had an encounter yesterday.

MR VALLY: Yes.

CHAIRPERSON: Of the closest kind.

MR VALLY: I would request you to choose your words very carefully Mr Chair.

DR KNOBEL: Mr Chairman, you can imagine my concern, I mean I'm trying to cooperate with the Truth Commission and here Mr Vally is fraternising with the main witness.

CHAIRPERSON: I can appreciate your concern Doctor Knobel.

DR KNOBEL: Thank you.

CHAIRPERSON: Mr Vally?

MR VALLY: Thank you Mr Chair.

I want to ask you one question about TRC11 before we go on to the recent batch of documents you've brought to me. Do you have TRC11 there?

DR KNOBEL: Yes, Sir, I can get it. Yes?

MR VALLY: If you look at paragraph 3 in TRC11.

DR KNOBEL: Yes, I've got it.

MR VALLY: Now I need an explanation, you are talking about Project Coast that involved a number of aspects and activities including, you say:

"Defensive and offensive Chemical and Biological Warfare; even a special operational aspect"

What was meant by that?

DR KNOBEL: Well the operational aspect referred to the development of CR and the incapacitating agents which would be used in a dual use capacity, both as a counter-measure or a retaliatory measure in the battlefield if necessary, as well as in the crowd control or riot control role.

MR VALLY: I'm trying to understand why special operational measure. I understand CR gas would be part of the possible defensive, possibly offensive warfare capacity but why separately, separate operational aspects?

DR KNOBEL: Yes, I think it's misleading, there's nothing more to say than what I've already said Mr Vally.

MR VALLY: Well there is a suggestion that the special operational aspect had to do with possibly the toxins which were, we know now, distributed for individual murders.

DR KNOBEL: Well certainly that was not meant by this paragraph when I signed this.

MR VALLY: Okay. And that letter is dated the 17th of May 1991.

DR KNOBEL: That's correct.

MR VALLY: Under the reference of Brigadier Basson?

DR KNOBEL: Yes, that's correct.

MR VALLY: Well let's go onto the new documents. I'm now looking at J3.

DR KNOBEL: Yes Sir?

MR VALLY: Do you have it in front of you?

DR KNOBEL: I'm not sure Mr Vally, I've got the Appendix J but your numbering is not my numbering, so maybe if you'll just tell me which document you're referring to.

MR VALLY: Certainly. This is the minutes of the Co-ordinating Committee Meeting of the 29th of March 1994.

DR KNOBEL: Alright, I've got it.

MR VALLY: Now my first question is this, paragraph 3 -I'm sorry, paragraph 2 rather, first. There's reference to:

"The Surgeon General"

which is yourself:

"will check with the PG"

and I assume that's the Attorney General:

"as to what their investigations have shown and where this case stands"

But the heading to that refers to previous minutes and it talks about the destruction of samples, can you just elucidate on this matter, what was it about?

DR KNOBEL: Yes, let me just go back to the previous minutes Mr Vally. If you look at the previous minutes Mr Vally, dated the 9th of January - oh no, I beg your pardon, that's not right, let me just get back to that one, when the substances were destroyed, the substances we discussed yesterday, there was a requirement both from the Auditor General as to the value of the substances that had been destroyed. For that we had to obtain a value certificate, which I think is added or is attached to the destruction certificate and which ultimately led to General Meiring having to submit to the Auditor General a letter in which he says what the true value was. That is attached to the documents here and I think you may have seen it.

At the same time the Attorney General's office, as far as I can recall, required about the destruction and whether we could provide the necessary report. If you look at the minutes of January '95 which follows the meeting that you are referring to you will see that we were still waiting for a written report from the police so that we could provide ultimately a complete report to the Attorney General. And you will see it also refers there to the Auditor General which also wants a value certificate of the substances that had been destroyed.

MR VALLY: The question is, why was the Attorney General involved regarding the destruction of samples? This is now in March 1994.

DR KNOBEL: I think it was, if I recall correctly, it was because all these substances were restricted substances and they wanted to have proof that it was in fact destroyed. For the same reason that you are also concerned about whether it was destroyed or not, the fact that they were restricted substances.

MR VALLY: Let's go on. We're still busy with J3. Now paragraph 3:
"Data slegging" (?)

This is the reference to the special safe which was created wherein these optical discs were finally put in, is that correct?

DR KNOBEL: That's correct.

VALLY: Paragraph 7, here you say that you had dealt with General Regley of the Swiss, it says: "Inligtingsdiens"

Can we, if the spelling is correct, can we assume that's Swiss Intelligence?

DR KNOBEL: Yes, that's correct.

MR VALLY: Regarding Doctor Basson's or Brigadier Basson's statements and you were convinced that the money was lost and you say that the case against Brigadier Basson was closed on the 22nd of April 1994, and this in Switzerland I assume?

DR KNOBEL: That's correct.

MR VALLY: How much money was lost here?

DR KNOBEL: Oh dear Mr Vally, I have to ...[intervention]

MR VALLY: Alright.

DR KNOBEL: I think it was three and a half million rands in round figures but if you want me to explain what is going on here ...[intervention]

MR VALLY: It will help when we come to those transactions later on. That's got to do with the Croatian transactions?

DR KNOBEL: This is the Chicane transaction.

MR VALLY: Right we'll go through that in more detail shortly.

DR KNOBEL: Right.

MR VALLY: Let's go to paragraph 10, the heading above it is:
"Item 4: Protechnic Oorname"

DR KNOBEL: Yes.

MR VALLY: Protechnic Take-over. Now you were here when Doctor Mijburgh was giving evidence and he stated that only Delta G was a military front company, the other companies such as Medchem Technologies of which Delta G was a wholly owned subsidiary.

DR KNOBEL: Yes.

MR VALLY: It was not a military front company?

DR KNOBEL: That's right.

MR VALLY: Looking at the details set down under paragraph 10, can I understand this: you would have a contract with the company, Protechnic for example, and I say: "you", I mean the Defence Force.

DR KNOBEL: Yes.

MR VALLY: You decided that this project has to end, would you as a matter of course then pay out the remainder of the contract?

DR KNOBEL: No, not necessarily.

MR VALLY: Now this is what appears to have happened regarding Protechnic.

DR KNOBEL: In paragraph 10(b)?

MR VALLY: Yes.

DR KNOBEL: Mr Vally, I've been trying to explain to you from the beginning that Protechnic was not a front company.

MR VALLY: Yes.

DR KNOBEL: If you will allow me, in your own documentation, I think it's TRC10, if you will allow me just to deal with this issue a little bit.

MR VALLY: Sure. Understand my question, my question is that all these companies with which you had contracts once Project Coast ended, were they paid in terms of what the remainder of the contract value was?

DR KNOBEL: No, it was part - I'll answer that question first if you like but I would like to come back to this TRC10 if you will allow me. The front companies in my opinion, was correctly described by Doctor Mijburgh, in the sense that those were the companies that were erected with State funds and the State were the beneficiaries of those companies.

There were a lot of other companies that had been established or been used as private companies by the project and on those companies certain contracts existed. ...[intervention]

MR VALLY: Stop just there. Used as private companies by the project?

DR KNOBEL: Yes.

MR VALLY: What does that in effect mean? This was a military project?

DR KNOBEL: No, Mr Vally. The Defence Force has contracts with numerous private companies that provides technology and provides equipment etc., to the Defence Force. The fact that Protechnic was a specialised company in terms of the development of detection apparatus, decontamination apparatus, evaluating

masks and filters and so on, obviously made it a primary company for the use of the Defence Force.

When it was taken over by Mr Zimmer and Mr van Remoortere who also testified here, it was then a totally private company where that type of expertise and, the main client of that company was the Defence Force certainly and the Defence Force had contracts with them.

What happened then was, Protechnic was considering closing down because the Defence Force requirement was reducing, it was becoming less than what it had been before. We had established the technology, we had established the state of the art standardisation techniques for masks, filters, decontamination etc., etc. And they were considering closing down.

I then went to Armscor and said we cannot afford to lose this expertise that we have in that company. I recommended to the Co-ordinating Management Committee that we should persuade Armscor to take over this company. The New Chemical Weapons Convention makes provision for any country in the world that is a State party to that convention to have what is described in the Convention as a single small scale facility which can continue to do the type of research to keep ahead with the state of the art equipment in terms of masks and filters and decontamination and clothing and that sort of thing.

That was what was taking place here. Armscor had agreed that they would go into a negotiating phase with Mr van Remoortere and they had come to an agreement about the payment and they took over the company and from that moment onwards the company was registered as the single small scale facility of South Africa in terms of the New Chemical Weapons Convention, and was so declared.

And in fact very quickly after the Convention entered into force, the Convention entered into force in March/April last year, if I remember correctly it was the 28th of April and very soon thereafter the Organisation for the Prevention of Chemical Weapons did an inspection at Protechnic in terms of the requirements of the Convention, gave them a positive report and soon after that, during November of last year, Protechnic transferee to new premises just outside Pretoria as a subsidiary now of Armscor and they were reinvestigated, reinspected by the OPCW and again given a positive certificate.

So what is reflected here is the process of where I'm being made aware, and Mr van Remoortere spoke to me personally and said: "I'm considering selling this company, I'm not getting enough business and I've lost interest in this area of expertise, what should I do"? And I said: "I will bring you into

touch with Armscor and you start negotiating with them". And this is what is reflected here.

MR VALLY: Well, let's look at 10(b), the issue is this, because it's not so much Protechnic I'm talking

about, I'm talking about front companies and I'm talking about other companies linked to front companies. Paragraph (b):

"Dat die SAW die kontrak kansellasië van die deel"

"The contract cancellation of the deal"

of that part of the contract which is not being continued, they'll pay out the balance of the contract, that's what I understand it to say.

DR KNOBEL: There was an outstanding contract that had not been settled yet.

MR VALLY: Yes.

DR KNOBEL: And in the process of taking it over, as soon as it becomes an Armscor company, the relationship between Armscor and the Defence Force is quite different of that between the Defence Force and a private company, and a subsidiary of Armscor then would do research on a different basis controlled by an organisation called: "The Veenor: Verdedigings Navorsings Ontwikkelingsraad". And it then becomes part of the Defence Force budget, not a project budget any longer but a normal running ...[intervention]

MR VALLY: I understand all that. My question still remains, the balance of the contract which as a result of this further take-over by Armscor is outstanding, the monetary value thereof was paid out to the owners of the company?

DR KNOBEL: That's correct.

MR VALLY: Right. Now having said that, you know we gave a list of - and I'm not sure if a copy of that list was given to you as well ...[intervention]

DR KNOBEL: I've got it here.

MR VALLY: Right.

DR KNOBEL: You're talking about the companies that we considered to ...[intervention]

MR VALLY: That's right. A large number of them had as directors people who came either from the Special Operations health grouping of Special Forces or from 7th Battalion ...[intervention]

DR KNOBEL: No, no, no.

MR VALLY: I can give you names, I can give you companies.

DR KNOBEL: Yes, but what you're saying: "Special Operations" is not true. You're using that word incorrectly Mr Vally.

MR VALLY: Alright, you can correct me but the doctors who were working with Special Forces under Doctor Basson ...[intervention]

DR KNOBEL: That I accept yes.

MR VALLY: Fine. That grouping, all from 7th Battalion of the South African Medical Services or from Project Coast, they were linked at some stage or the other to Delta G or to RRL you know. Just looking at that list of mine I can tell you at least about Aromed Services, Blackdale, Blowing Rock Controlling Instruments, BR Farming Enterprises, BR Holdings, BSI Medical and Secretarial Services, BSI Medchem, or we're told it doesn't exist, let's leave that one out, Keymed Products Development, Delta G Scientific, DG's Chemic, Decotox, Global Air Charter, Healthman (Pty) Ltd, Infladel, Kowolsky International, Joostenberg Properties, John Truter Financial Consultants, Lifestyle Management (Pty) Ltd, Lifestyle Management Properties, Mason de Medchem, which we were told was a boutique but we later found out it was something else, Medchem Consolidated Investments, Medchem Pharmaceuticals, Medchem Sports International, Midrand Consolidated Investments, Partners in Travel (Pty) Ltd, Poltec Pollutions, Pollution Technologies, Pretocon(?), Pretoria Street Investments, ...[intervention]

DR KNOBEL: Mr Vally, sorry to interrupt.

MR VALLY: Certainly.

DR KNOBEL: I asked you just now if I could to TRC10 and that is exactly why I did so because I knew you were going to talk about this list.

MR VALLY: Sure.

DR KNOBEL: And I'm going to try - I don't know what the question is as yet, but let me just give you the background please.

MR VALLY: Could I just for the record put my list of people.

DR KNOBEL: Ja.

MR VALLY: And then I certainly will let you go to TRC10. Well, Roodeplaat Breeding Enterprises, Roodeplaat Research Laboratories, Technotec, Tensim Investments, Waterson Properties, Waterson Properties (Pty) Ltd - it may be the same company, Woselko Holdings, Wisdom Erf 82, Wisdom Erf 1219, Wisdom Finance, Wisdom Holdings, Wisdom Idle Winds Property. These may even be located in America but these were companies which had peoples who had dealings with aspects of Project Coast. Wisdom Liquor Centre, Wisdom Properties, Wisdom Travel (Pty) Ltd and WPW Investments Incorporated.

Now, the question - and then you can maybe use TRC10 to answer me.

DR KNOBEL: Yes.

MR VALLY: These were a large number of companies where individuals who were involved with Project Coast at some stage were directors of these companies and maybe you can explain this to us as to why, and we can look at TRC10.

DR KNOBEL: So your question is now Mr Vally?

MR VALLY: I'm trying to understand the linkages because all of a sudden I'm told only Delta G was a government front, yet Delta G is a wholly owned subsidiary of Medchem Technologies but Medchem Technologies wasn't a front company. I'm trying to understand this in view of the fact of a large number of these front, well, you say not front companies, but companies with directors who come from Project Coast or have some links with Project Coast.

DR KNOBEL: Yes, thank you. I will now take you to TRC10 and I would like you also to look at my documents that I've given you. There is one, I think it is in Appendix H, which was the briefing to the Minister of Defence on the 10th of August '93. First of all Mr Vally, if you look at number 10. That is a letter that has been drawn up by the Chief of Staff Finance and the person who drew it up or who is the enquiries addressee is Brigadier Koertzen. It's a letter to the Minister of Defence, 15th of February '91 and it is signed by General Liebenberg as Chief of the Defence Force and then finally approved by the Minister.

All front companies that the Defence Force established for whatever reason, and this is only one project of the Defence Force, there were other projects all front companies had to be approved by the Minister on an annual basis. And this letter that you have in front of you is the letter for 1991 and in that letter you'll see that the front companies that approval is asked for through the office of Chief of Staff Finance and signed by the Chief of the Defence Force and approved by the Minister, are the following: John Truter Financial, Roodeplaat ...[intervention]

MR VALLY: Can we just stop there for a while. John Truter Financial Consultants ...[intervention]

DR KNOBEL: You know Mr Vally, surely you're not going to give me a chance now to try and deal with your question.

MR VALLY: Very well, I just some clarity so that we can locate these companies but I'll ask it after you're finished.

DR KNOBEL: I'll do exactly what you ...[intervention]

MR VALLY: Do carry on.

DR KNOBEL: We can come back to any other question you may have but please!

MR VALLY: Go on.

DR KNOBEL: That list, from A to G were the front companies that had been approved for that year by the Minister. If you look at the bottom, paragraph 5, it says:

"During 1990 one of the previous front companies namely Delta G, has been privatised and is now no longer a front company"

So what I'm trying to explain to you is that on an annual basis, in terms of this project, we had to get approval through the office of the Chief of the Defence Force and through his Chief of Staff Finance, which is a laid down procedure within the Defence Force, to obtain approval by the Minister for front companies.

I also have a letter here which you do not have in your possession which is of the previous year, where Delta G is still included as one of the front companies, but in that year the privatisation process began to take place and the privatisation process is explained in a very lengthy letter which you do not have in your possession but which is now in the possession of the Auditor General and of OSEO, in which the Minister and the Minister of Finance approved the process that was going to be followed to privatise both Delta G initially and later on Roodeplaat and some of the others later on as well.

That led to the directors, basically the directors of those companies with a shareholding in the company, taking over the control over the company and controlling it through a holding company. What Doctor Mijburgh said yesterday was essentially true. The Medchem Technologies that he had established was the holding company as he explained.

The briefing to the Minister of Defence, Annexure H, which is now a year later in August '93, if you look at the attachment to that briefing: "Aanhangsel A", I'm giving the Minister a summary there of what the situation was with regards to front companies and I said: "This is the chronological history of each of these companies and how they developed, there is the history of Delta G:

"Founded April 1992

Plant opened Midrand '85

Company sold to employees in 1991

Last contracts finalised March '93

Final transfer of share certificates 1993"

Can you see, that reflects the process. Roodeplaat the next one:

"Roodeplaat founded in 1981

Sold to management

Final transfer 31 March

Infradel, Sefmed, D John Truter"

And that is where the list ends. Which again reflects to you which were the major or front companies that had been established with State funds.

And if you then look further it says:

"Other Companies"

And it mentions:

"Lifestyle Management, Protechnic Laboratories and Technotec"

which were private companies and that I say very clearly there:

"They were however never owned by the SADF"

Now this is why I've been trying to say to you from the start that Protechnic was a private company. I've been reflecting on this, you must understand I took over as Surgeon General in 1988, this is how it was transmitted to me, conveyed to me and I had no reason to doubt it and I reported as such to the Minister.

In view of what you've asked me and in view of the other testimony that was given here I can see that it is possible that SRD was a front company which Jan Lourens I think gave testimony to that effect, it then changed its name to Protechnic, it may still have been a front company then but at a certain stage it was taken over by van Remoortere and Zimmer and it was then a private company. And certainly when I was Surgeon General and I had to co-ordinate or manage the project I saw that as a private company. There's nothing sinister about that.

Now to come back to your question, this list that you've just started reading from with 102 names on it, I assure you the only companies on this list that were front companies were those reflected on the documents that I've now referred to you. All the others were established by individuals as explained by Doctor Mijburgh. What I think happened here is when the privatisation was taking place, when it became clear to the two main companies, we're really talking about Delta G mainly and Roodeplaat, those directors of those companies had to find another area where they could carry on with their business and they established these companies.

Let me tell you National Intelligence at the moment is conducting a full investigation into even other names that are not included on this list, and so is the office of Serious Economic Offences. They are extremely interested to see what had happened to all of these companies.

My own knowledge of them is really of such a nature that I can't give you any further information. I can simply confirm to you that none of the others on this list, except the ones I've given you on the reference, were front companies of the Defence Force.

MR VALLY: Well let's talk it through. Let's look at TRC10 first, what you've just referred us to. There was a person or is rather a person called John Truter, is there?

DR KNOBEL: That's correct.

MR VALLY: I believe he is presently in Canada or something.

DR KNOBEL: I beg your pardon?

MR VALLY: Is he presently in Canada or something?

DR KNOBEL: No, no, no, I don't know where John Truter is.

MR VALLY: Fine.

DR KNOBEL: Are you not confusing him with Erasmus?

MR VALLY: No, no.

DR KNOBEL: I may be wrong, maybe he is in Canada, I'm not sure.

MR VALLY: No, no, we're not talking about Mr and Mrs Erasmus or Doctor and Mrs Erasmus, no. Did this company, John Truter Financial Consultants have besides being a channel of money, have responsibility for any auditing or accounting of any of the front companies?

DR KNOBEL: No, Mr Vally, as I understood it an auditor was appointed by the Auditor General, an external auditor which was Mr Theron of ...[intervention]

MR VALLY: Sorry General, maybe I'll just draw your attention to the third line under (a), 2(a), we're looking at TRC10:

"Internal Audit Function and General Administration of the Project"

DR KNOBEL: Now the internal audit function referred to here is the auditing of funds that have been made available for the project and which was channelled from D John Truter to the various front companies and for that matter, to any other companies.

MR VALLY: Fine. So the issue that I'm putting forward to you is, you had a need for an internal audit, you created a company?

DR KNOBEL: Correct.

MR VALLY: Which company was paid for its services?

DR KNOBEL: That's correct.

MR VALLY: Now as I understand it, similarly whenever there was a need Doctor Wouter Basson had to fly to various parts of the world in private aircraft

because of substances he was carrying, so you'd get a friendly company or you'd form a new company, is that how it worked?

DR KNOBEL: No, Sir. When you say: "you used a friendly company" ...[intervention]

MR VALLY: Defence Force, we're talking Defence Force.

DR KNOBEL: No, sorry, it didn't work that way.

MR VALLY: So why is it that most or all the companies I've mentioned to you had operatives or ex-employees who were directors of those companies, associated with Project Coast in some way or another?

DR KNOBEL: Mr Vally, I share your concern about this and this is why there is an investigation by the Office of Serious Economic Offences to this effect. If you ask me why, I'm saying to you there were old boys nets that had existed and these members were working within the front companies, they had been privatised, they went and established their own companies which they made available and which were used. There's another example which we'll come back to when ...[intervention]

MR VALLY: Fair enough. I'm pleased that you talk about this old boys network because they certainly seemed to have done very well out of the deal and I'll tell you why I say so. We've already heard Doctor Swanepoel saying that he made at least four million, possibly eight million rands from the privatisation of Roodeplaat Research Laboratories, and I want to come back to that but for me there's a couple of angles regarding the companies. First of all, the linkages to the old boys network and this old boys network is the one arising around Project Coast and before that, 7th Battalion, you would agree that there was this kind of network?

The second thing is, when there was a decision to terminate the project, the cancellation fees that were paid. Now I don't have an amount for, the money that was paid to Protechnic, do you have a figure for me?

DR KNOBEL: I don't have that figure, once again I'm sorry.

MR VALLY: Well the same document, TRC10, if you look at the attachment to it which you've referred to just now, page 9 thereof ...[intervention]

DR KNOBEL: Sorry, are you referring to ...[intervention]

MR VALLY: This is now:

"Uiters Geheim"

Letter dated 19th of August 1991, reference: Brigadier Basson, addressed to General M A Malan, Minister of Defence.

DR KNOBEL: Yes.

MR VALLY: Look at page 9, paragraph 44(b): A cancellation amount of thirty seven million rands in terms the unilateral cancellation of the research agreements is paid to the Medchem Group.

DR KNOBEL: Yes.

MR VALLY: So General Magnus Malan paid to Mijburgh, his nephew, because it's Defence Force money, or was aware that he was paid thirty seven million rands for cancellation of contracts?

DR KNOBEL: Yes, that's correct.

MR VALLY: Was this the standard pattern?

DR KNOBEL: No Mr Vally, I don't understand what you mean by: "standard pattern".

MR VALLY: I'm saying that at some stage there was a decision to terminate large aspects of Project Coast.

DR KNOBEL: That's correct.

MR VALLY: In terms of that there were a number of companies with which Project Coast activities had contracts, either Defence Force or Delta G or Roodeplaat. When you cancelled those contracts, were they all paid the cash value of the outstanding aspects of the contract?

DR KNOBEL: Only with regards to the Delta G and the Roodeplaat, those were the two main companies.

MR VALLY: Well here's Medchem getting thirty seven million rands.

DR KNOBEL: Yes, but I'm confirming what you're saying. This only occurred with the privatisation of Delta G and This is what this whole document is about.

MR VALLY: You see, Doctor Mijburgh very glibly told us he made money on the stock exchange. Here is a document which says he got thirty seven million rands paid for by the Defence Force.

DR KNOBEL: Mr Vally, I think we're over simplifying this. Clearly this is a highly complex process, so complex that the Joint Standing Committee on Public Accounts decided to ask the Auditor General to conduct a full investigation into the fairness of the privatisation process.

To the best of my knowledge that investigation has not been completed and we're now into the second year since the Joint Standing Committee on Public Accounts gave that instruction. The main role players in providing the information is the Chief of Staff Finance of the Defence Force, and I mentioned Brigadier Koertzen's name a few times already, and of course the investigation by the Office of Serious Economic Offences.

I don't know what the results of their investigation is but I think it is a bit premature now to simply deduct that Doctor Philip Mijburgh got thirty seven million. The fact is it's taking the Auditor General more than a year now to complete this investigation and to give a report in this regard to the Joint Standing Committee.

I'm certainly not in the position to give you a better explanation. It's quite true what is written here in front of you and you can see it was approved, not only by the Minister of Defence but also by the Minister of Finance.

MR VALLY: I must make it absolutely clear that we're talking about the Minister of Defence in his official capacity but this document is signed by Head of the South African Defence Force, General Liebenberg, signed by Minister Magnus Malan and signed by Minister of Finance at that stage, Barend du Plessis.

DR KNOBEL: That's correct.

MR VALLY: And are you aware of whether this was the standard practice with other companies?

DR KNOBEL: I've already answered that question. As far as ...[intervention]

MR VALLY: No, but personally, are you aware of whether it happened to any other companies?

DR KNOBEL: No, I'm not aware of any other companies, other than Delta G and Roodeplaat.

MR VALLY: Can I go further, that same document, the very last page, you'll see a diagram there, it says:

"The Medchem Group Corporate Structure: Shareholding in long-term assets"

Let's look at the right, it says:

"D J Truter Financial Consultants"

DR KNOBEL: Yes?

MR VALLY: Now, every now and then there's a block which says:

"Lening"

and I assume that's twelve million rand? Do you see that?

DR KNOBEL: Yes.

MR VALLY: And that goes then into Medchem Consolidated Investments. Did Medchem get a twelve million rand loan from Truter Financial Consultants?

DR KNOBEL: The arrow points in the opposite direction Mr Vally.

MR VALLY: Are you saying Medchem ...[intervention]

DR KNOBEL: I'm not saying that, I'm saying the arrow on this diagram, I honestly don't know exactly what that means.

MR VALLY: You see, this document, and this is a 1991 document, signed at a very high level, talks about large amounts of money involving companies surrounding Project Coast and ultimately you were responsible for Project Coast, you were the Project Manager. At this stage in 1991 you were the manager already.

DR KNOBEL: Mr Vally, we've already established what the role was of the Surgeon General within the Co-ordinating Management Committee. I've explained to you that there were three sub-committees, one dealt with the financial aspects, one dealt with the security aspects and one dealt with the research and scientific aspects.

And I've indicated to you that in terms of the financial aspects, the Surgeon General was totally dependant on the Chief of Staff Finance to guide him along with regards to the financial management at this level. This is why this document that you have in front of you was a document of CSF, Chief of Staff Finance.

It is true that Basson is here under the: "Enquiries Column" and as I testified I think here, but also to the Office of Serious Economic Offences, the process of privatisation and commercialisation was designed between Doctor Basson and the Chief of Staff Finance and they were supported by the Attorney General's office, I beg your pardon, by the State Attorneys as well as by the Auditor General's office. And that is the subject of the Office of Serious Economic Offences investigation which is being conducted now. It is also the subject of the Auditor General's investigation into the fairness or the correctness of the privatisation process. I can't give you any further information.

MR VALLY: Alright. Just for the record, besides the thirty seven million rands there's also talk of a further fifteen million rands being channelled, and I'm talking about an option referred to in paragraph 43, sub-paragraph (b): "Financially the process will result in the nett cash flow to the Medchem Group of fifteen million rands"

DR KNOBEL: Yes.

MR VALLY: And that appears to be in addition to the thirty seven million rands we talked about earlier.

DR KNOBEL: It appears like that. I'm saying again I think we're possibly over simplifying it.

MR VALLY: And we have this young doctor straight from 7th Battalion, Director of Medchem, subsequently director of Delta G, who in fact, if this is to

be believed, this document signed by the various Ministers, made a massive financial killing in 1991 already. Can we assume that from this document?

DR KNOBEL: I don't know what we can assume Mr Vally, I'm sorry.

MR VALLY: Well, let's go on.

DR RANDERA: General, can I ask at what stage did you become aware of the involvement of all these doctors from 7th Medical Battalion in all these other companies? I'm not talking about the front companies because they were set up with the various committees that you've described already, but this list that Mr Vally has just provided to you.

DR KNOBEL: Yes, Doctor ..[intervention]

DR RANDERA: Have you only become aware since the investigation started or was there a period prior to that?

DR KNOBEL: Doctor Randera, in 1991, I think we've dealt here with the Counter Intelligence Report on one or two occasions, signed by General van der Westhuizen. I can't remember which document it was but it was one of the bundle, where I made the testimony that a Counter Intelligence Report was drawn up by the staff of the Chief of Staff Intelligence. In that document you will see one or two or three of these other companies are investigated, I think Aeromed was one.

I certainly knew in 1991 that there was an investigation into the so-called Aeromed Services, on the basis that there were links with members of the Project Coast. After that investigation had been completed I was assured that there was no criminal activities discovered and that the case was closed.

From then onwards I had no further knowledge until I received the first letter from the Offices of Serious Economic Offences in January '93, which is in my bundle here and you will also see what my reply was to that. In that letter from the Offices of Serious Economic Offences, there are also a number of these additional companies mentioned. We can go to it if you like but I don't waste time, but not nearly as many as we have on the list now.

The next step was when we started working closely with National Intelligence. I explained already how that had taken place and when I began to link up with National Intelligence, not necessarily Mr Mike Kennedy but some of his other colleagues assisted me in helping the Office of Serious Economic Offences in trying to unravel what the position was here.

I must admit that it was only last year when I visited the offices of National Intelligence that I became aware of a document which I happen to have here, on companies associated or linked in some or other way to Project Coast.

I haven't actually checked it now against this list of Mr Vally, but I believe it is even more than the 102 that are on this list.

CHAIRPERSON: Mr Vally?

MR VALLY: Thank you Mr Chair.

I need to ask you some further questions on the minutes of the meeting, Annexure J, of the 29th of March 1994, the control committee.

DR KNOBEL: Yes, Sir.

MR VALLY: We've determined that the optical discs we're talking about in paragraph 3 were the discs on which all the formulae etc., had to be recorded. Now did you at any stage inspect these discs to see what is on there?

DR KNOBEL: No, Sir. Let me try and give you the background there. There are, as far as I can remember, 13 CD Rom optic discs in the safe. After the technical information was transferred from documents onto the discs, the discs were brought to me by Colonel Ben Steyn in a safe. I established that the discs were inside the safe, and as far as I remember there's also an additional floppy along with it, which is the access mechanism, access coding that you require to be able to access the information on the discs.

It was then put into a very large wall safe attached to my office and my headquarters and only Colonel Steyn and I had control, joint control over the small safe, smaller safe, the portable safe. After the demarche and particularly after the Americans and the British expressed concern about the safety of the information on the discs, I went to see Mr de Klerk and I followed it up with a letter and that letter I can give you a copy of. It was in April 1994.

At that stage we changed the joint control in such a way that all three of us, the President, Mr de Klerk, Colonel Steyn and myself had to be present in order to access or to be able to open the small safe. The position was then changed, it was then changed to a safe in a different part of my headquarters, a huge safe with two keys and a combination and the small safe with its two keys was put into the bigger safe.

And in that joint control we gave the President one of the keys of the big safe as well as the combination of the big safe. I kept the key of the big safe and one of the keys of the small safe. Colonel Steyn had the combination of the big safe and the other key of the small safe, and that was how that situation was maintained.

The discs were never accessed, although we recommended to the previous government and to the present government, particularly with regards to the investigation of both the d'Oliviera Commission as well as of the Offices of

Serious Economic Offences, that at some or other time we would have to access the information on those discs.

After the withdrawal of Mr de Klerk from the government of national unity obviously the situation changed. Let me just say this, after we briefed Mr Mandela in August '94 and explained the security measures to him, he indicated that we should maintain it as it is at that time.

In other words that Mr de Klerk should still retain his part of the control. But when Mr, and I beg your pardon, when Mr Mandela met the overseas delegation from the USA and the UK, the whole question of the security of that information was again discussed with them and they expressed their approval of the system which was in place and it was maintained exactly in that way. And then when Mr de Klerk withdrew from the government of national unity, I indicated to him that he would have to give up his part of the control and hand it over to either Mr Mandela or Mr Mbeki. That ultimately took place and at the present time the control is exactly the same with present Surgeon General having the position that I had, with Colonel Steyn still being in the office there as the past Project Officer and still the expert on chemical and biological defence and I believe Mr Mbeki now has the further control.

But the answer to your question is, the information has not been accessed ever, although may I just add this, when we discovered or when the trunks were discovered with information on it, a lot of files on it, the files that we are dealing with at the moment, both National Intelligence and I recommended strongly to government that we should access the information, because if we access that information we can then deal with what was the official project programme as I've been describing it to you up to now and what was outside that programme. I believe we will be able to determine that.

MR VALLY: To the best of your knowledge, have these discs ever been checked?

DR KNOBEL: No.

MR VALLY: So, ...[intervention]

DR KNOBEL: Well, I don't know what you mean by: "checked".

MR VALLY: Well, has any person with scientific knowledge accessed these discs and looked what is on them?

DR KNOBEL: I've answered that question Mr Vally.

MR VALLY: Is the answer: "No"?

DR KNOBEL: Of course not.

MR VALLY: So there may be a lot of nonsense on there for all we know?

DR KNOBEL: You're asking me to speculate Mr Vally.

MR VALLY: Sure. I accept that. But if you look at, we're still busy with Annexure J and I'm looking at the minutes of the meeting of the Co-ordinating Committee of the 24th of January 1994.

DR KNOBEL: Yes.

MR VALLY: If you look at paragraph 5(c), it's J4 for the Commissioners.

DR KNOBEL: I'm sorry, just that date again please?

MR VALLY: Sorry, it's the minutes of the Co-ordinating Committee meeting of the 24th of January 1994.

DR KNOBEL: Yes, I've got it, thank you.

MR VALLY: Our reference is J4. Look at 5(c).

DR KNOBEL: Yes.

MR VALLY: It says:

"Surgeon General must ensure that all relevant information has been loaded correctly on the discs and that all technical documents have been destroyed"
It appears that you were given an instruction to acquaint yourself with what is on the discs. Am I misreading it?

DR KNOBEL: No, no, that is certainly not what is meant there.

MR VALLY: Can you explain to us what is meant there?

DR KNOBEL: What is meant was I had to enquire from the previous Project Officer who was involved in placing the data onto the discs, that he had in fact placed all the technical information on the discs ...[intervention]

MR VALLY: Well, let's talk names. So, all you had to do was ask Brigadier Basson: "Brigadier Basson, did you put all the information on the discs"?

DR KNOBEL: All the technical information.

MR VALLY: All the technical information?

DR KNOBEL: That's correct.

MR VALLY: And that's what you did?

DR KNOBEL: Yes.

MR VALLY: And he said he'd done that?

DR KNOBEL: He in fact confirmed that at a meeting of the Co-ordinating Management Committee.

MR VALLY: So Brigadier Basson was the person who was ultimately in possession of the knowledge of whether the relevant information had been put on the discs or not?

DR KNOBEL: That's correct.

MR VALLY: And the company that was given the contract to capture this information on discs, that was Data Information Images?

DR KNOBEL: No, I think Data Images Information Systems.

MR VALLY: Data Images Information Systems.

DR KNOBEL: Yes, you're quite right Mr Vally. I may just mention that the company that had carried out this task, as far as I could establish afterwards, was given a contract by D John Truter in 1991, to establish a data base for the project.

The decision that all the technical information of those two companies, we're talking mainly about Delta G and Roodeplaat, that that should be put on discs was confirmed by Mr Louw, the Minister of Defence in January '93. The company had already had a contract. I was not even aware which company was involved but the work had been done, it took almost a year for it to be completed. You see we are here dealing with a minute of January '94 so that's a year later.

When the trunks were discovered and I was invited by National Intelligence along with Colonel Steyn to come and evaluate the contents of the trunks, I immediately realised that those trunks contained most of the research, technical information of research carried out at Roodeplaat. There was some of Delta G but you will agree with me it's mainly Roodeplaat work. And my first question was, these are the documents that were supposed to have been destroyed and which we had reported here that all technical documents had been destroyed.

And that was when I started asking questions of National Intelligence and I can confirm that in June last year, the trunks were discovered February/March last year, in June last year when we were discussing the technical information on the documents *vis-a-vis* the technical information that was supposed to be on the discs, that I was informed by National Intelligence that this was in fact done by Data Imaging Information Services. That was the first time I realised that it was this particular company.

MR VALLY: So the factual situation is that we have - you've been referred to as both optical discs and CD rom, put together by Brigadier Wouter Basson. The company which had the contract was the one where Dr Mijburgh, I think he said he was the sole director, he may have had one other director, and subsequently, to the best of your knowledge, no-one has ever checked those discs?

MR KNOBEL: No, you're right. I can give you additional information, a member of the South African Medical Service was seconded for this task and that was a - I believe a Dr Kobus Bothma. He was fully seconded to help with placing the information on the CD roms.

MR VALLY: Did you get any report from him?

MR KNOBEL: No, he's left the country.

MR VALLY: Is he also in Canada at the moment?

MR KNOBEL: I believe so.

MR VALLY: The fact is that we know that Brigadier Basson advised you that he had destroyed all the technical documents.

MR KNOBEL: Absolutely. He also does at a Co-ordinating Management Committee meeting.

MR VALLY: And the fact is that we know he lied.

MR KNOBEL: Yes, that's true.

MR VALLY: So he may have lied about lots of other things?

MR KNOBEL: That's also true.

CHAIRPERSON: Dr Randera?

DR RANDERA: General, I think I'm coming back to a point I've dealt with you already, but can I - I'm trying to understand the situation. You've sold off all these companies, we're dealing with incredibly sensitive material, material that you haven't even cast your eyes on,

MR KNOBEL: Yes.

DR RANDERA: Any it still - the contract still goes to a private company. My first question is, was there no capability within either the Intelligence Services or the Military Services to be putting that information on, and following from that, does it not open, again coming back, we're not dealing with material of minutes of a meeting, we're dealing with material that the country wants to protect at all,

MR KNOBEL: Yes, I agree.

DR RANDERA: And yet it's given to a company, a private company, I presume all the individuals who work within that company don't have to go through lie-

detector tests and everything else that Intelligence Agency people go through. Can you try and make me understand ...(intervention)

MR VALLY: Sorry, Dr Randera, I just want to add to your question, just a little bit, and the evidence we received yesterday, was the equipment which was used to place this information on disc was in fact supplied by the Defence Force as well.

MR KNOBEL: Yes, but the way I understood it, Dr Randera, to answer your question, is that the person who actually dealt with the documentation was either Brigadier Basson personally, who understood the contents, and this Dr Kobus Bothma that we had seconded for the purpose. So, as I understood it, nobody else had any access to the information that was on the documents.

DR RANDERA: But you don't know?

MR KNOBEL: I don't know.

DR RANDERA: You don't, I mean I just need the truth of the matter.

MR KNOBEL: Yes, that is the truth.

DR RANDERA: That's speculation.

MR KNOBEL: That is true. No, but it's not only - it's not speculation truly, it is how it was reported to us, but you are right, we don't really know. It was reported as such to us.

DR RANDERA: My first question, was that capability not there within, you're using the people from, in your own words, you're using Brigadier Basson and Dr Bothma, who are military people already, you're providing the computer services or the computers, and yet it goes to a private company.

MR KNOBEL: Yes, again Dr Randera, I can't answer that question other than saying to you that the contract had been placed with this company already in '91 according to the documentation that we found, contractual documentation, which is now in the possession of the Office of Serious Economic Offences, and it was a contract that had already been in existence and this work was then done there. And it was approved by the Co-ordinating Management Committee, and it was reported back to them.

CHAIRPERSON: Advocate Potgieter?

MR POTGIETER: Thank you, Chair. Dr Knobel, I'm not quite clear, can you perhaps just try and be as explicit as you can in explaining to us, what did you actually do to comply with this duty that the "Beheerkomitee" Control Committee placed on you in terms of this minute J4 of the 24th of January 1994, paragraph 5(c),

"The Surgeon-General must satisfy himself that all relevant information has been correctly loaded onto the discs"

and the rest of it, all technical documentation was destroyed. What exactly did you do?

MR KNOBEL: Right, advocate Potgieter, we're talking about January '94. On the 31st of March '93 Dr Basson was retired and placed on pension and placed on the Citizen Force Reserve, and with the direction of the Chief of Defence Force, was used in his Citizen Force capacity to continue the termination and privatisation of some of the companies, to try and recover the funds in Croatia, and also to complete the task of placing the technical information on discs. That had been approved by the Chief of Defence Force. He worked on that for a full year, until we get to this meeting where we're now saying the data has not all been placed on discs. The new project officer was Colonel Steyn. Colonel Steyn had to liaise direct with Brigadier Basson and with Dr Kobus Bothma who we seconded to help him with the task, in order to keep me informed. You see at those minutes Colonel Steyn reports that it has been completed in the first paragraph, and I'm then given an instruction to determine whether it was done correctly and that all technical documents had been destroyed.

DR RANDERA: Yes.

MR KNOBEL: I then interviewed Dr Basson in this regard and I said I want to know exactly what you did. He explained to me that they had gone through only the technical or the scientific information of the two companies in great detail and had placed it on discs, and that it was now fully present on the discs. I did not then proceed to try and access the information on the discs and try and establish by looking at documents and comparing what was on the discs, and actually going through the entire process again, which would probably take another year. I'm saying to you that there were 13 CD rom discs which, if you take the full capacity of them would be an enormous amount of information. I was satisfied that the technical information of the two companies were fully placed on disc.

The second thing that I had to do, was I had to determine whether the technical documentation was then destroyed. I had an undertaking from Dr Basson this was so, and I took the precaution of asking him to come to the next Co-ordinating Management Committee meeting where he could confirm that himself. I explained that at the next meeting and it was so noted.

DR RANDERA: So the concern was basically just in regard to satisfying yourself, "vergewis homself" that all relevant information was correctly

captured on these discs. So are you saying that in giving effect to this, you had this interview with Dr Basson?

MR KNOBEL: Correct, and Colonel Steyn was present as well.

DR RANDERA: Alright, and Dr Basson made a report to you?

MR KNOBEL: Yes.

DR RANDERA: Which really was to the effect that, yes, Dr Knobel, I've done it correctly?

MR KNOBEL: Yes, sir.

DR RANDERA: And that was it?

MR KNOBEL: Yes.

DR RANDERA: And that's where we stand at this stage today?

MR KNOBEL: Correct, yes.

DR RANDERA: Do you think that is a satisfactory situation that pertains now, if I may ask you?

MR KNOBEL: No, obviously with hindsight now I will consider that one should have possibly gone through all those discs. Our problem, advocate Potgieter is this, that both Colonel Steyn and I could have gone through the entire process of accessing all the information and insisting that none of the files should be destroyed until such a time as we had gone through it, which would have taken a full year at least again. And of course, remembering that neither of us had the same chemical background that Brigadier Basson had, there was nobody else in the country that we could find or could ask to come and help us do this job, there was just simply nobody available.

CHAIRPERSON: Did you really try and find somebody who could have been competent?

MR KNOBEL: No.

CHAIRPERSON: I mean you have been singing praises to Peter Falck throughout this whole period. Did you really find out, did you make an audit of people who could have been available for ...(intervention)

MR KNOBEL: I did not have the authority to do that, no, Mr Chairman.

CHAIRPERSON: There was - you see, I think the problem we are faced with, General, with all due respect, is that there seems to be a laxness with which this whole thing was approached, you know. Almost as though to say, it's just a job, that's the one view. The other view of course, and which gives rise to a lot of speculation by a number of people who will hear these proceedings, is that there was collusion, and I'm sure you would really like to place yourself in a position where we shouldn't come to that conclusion, and I'm not even beginning to

suggest that we are coming to that conclusion. It's just that we are totally dissatisfied to see that people who had been placed with a very heavy responsibility to make sure that if there is a winding up of a company, it's done properly, if things have to be destroyed, they must be destroyed properly. That you seem to take the word of your colleague, yes, I have taken hold of those things, Dr, I have done that, I have done what you said I must do. You do not see to it that in fact it had been done.

MR KNOBEL: Mr Chairman, there were also other independent members of the Medical Service present in this process, both Dr Bothma and Colonel Steyn.

MR POTGIETER: Dr Knobel, I don't want to use the description of Mr Vally about the value of those discs, those 13 discs, but is it fair to say that for all we know, we have 13 discs which don't really reflect the entire scope of this particular project and that they might very well be in circulation elsewhere, in the possession of others, the full information around the project, and that what the authorities are sitting with at this stage is really just a watered down - hoping that Mr Vally's words are not proved correct?

MR KNOBEL: Advocate Potgieter, I have said already, I think that's speculative. I think there's only one way of determining what you are saying is possible or not, and that is to access the information, and I have recommended that to the previous Government and the present Government, and particularly after the trunks were found. And National Intelligence can confirm this, we've actually on more than one occasion indicated, and in fact I discussed this quite recently with the Deputy President, and said that we need to access the information on the discs. I believe that that will clarify a lot of issues reflecting to that now.

MR POTGIETER: Yes, I - can I just say in conclusion again, one doesn't want to apportion any blame or nothing, but I think that, you know, you can understand this sort of alarm that this raises in one's mind, especially for us sitting here dealing with this topic, and seeing the potential that is locked up in all of this work that you have been engaged in, the absolute alarm in hearing this sort of thing, but as I say, I mean, it's not an attempt to apportion any blame or nothing, we're here to try and save the day. But thank you.

CHAIRPERSON: Dr Wendy Orr?

MS ORR: This isn't a question, but addendum to Advocate Potgieter's conclusion, and that is that yes, we should access the discs, but so doing will not show us where the gaps are, because the only person who seems to have complete knowledge of the programme is Dr Basson and I don't think he's likely

to tell us what has been left out. And accessing the discs will not tell us whether or not that information has been made available to other countries, and I think we are all very concerned and alarmed, and I agree that this is speculation, but at the possibility that these kinds of things may indeed be the case.

CHAIRPERSON: Do you agree Dr Knobel that here our concern is in fact well-founded.

MR KNOBEL: What is true, Mr Chairman, is that those discs were handed over at this date, and from that date onwards they have not been available to anybody, that is true. We don't know if the information on the contents of the trunks were made available to anybody else, we have the assurance that it was not.

CHAIRPERSON: We hear so many things that took place ...(intervention)

MR KNOBEL: Yes, I know we hear a lot of things, Mr Chairman.

CHAIRPERSON: There are places here which are supposed to be like Fort Knox, NIA Headquarters, and things disappear, computers, cars, what have you, if we are to believe what we read in the newspapers. So I am not - you are saying yourself that since those discs were placed where they were, nobody seems to have had access to them, in spite of your ...(indistinct)

MR KNOBEL: That is correct, and we discussed it with our American and British colleagues and they were satisfied, and so was the previous President, and so is the present Government, and they have maintained it in exactly that fashion.

CHAIRPERSON: I don't want to talk ill about friendly countries, because that's what they are, but I mean they are countries which have got their own agendas, but I'll leave it at that.

MR KNOBEL: No but that I agree with, we're in full agreement about that, Mr Chairman.

CHAIRPERSON: Dr Randera?

DR RANDERA: General, just one last question, and this, it relates to this issue of the only person who had knowledge of what was going on within the front companies was Dr Basson. Now during this hearing we've had very eminent scientists coming and speaking, the very people who were actually - Dr Basson was not a Microbiologist at the end of the day. Was there every any thought given to the posing the question that, let's go to the actual people who were the heads of the various departments, the Dr van Rensburgs, the Dr Immelmans, to ask them - even Dr Steyn, I mean yes, he's the project co-ordinator now, Dr

Basson was a project co-ordinator. But was there ever any thought given to that idea, to bring a team of people, I'm talking about at the time, because they were really the individuals who knew. When Dr - it's a question I'm going to come back to later on in terms of the fertility programme - you know, Dr Basson knew nothing about that, let's be honest about it. Yes he's a chemist, but he knew nothing about what the lady doctor was doing within that programme. Now that would have been the sort of cross-checking I suppose that we would have expected, and that's what our concern is about at the moment. Now was there any thought at that time, besides giving it to Dr Bothma and Dr Steyn and Dr Basson, to bring these very eminent individuals in. Let's leave Professor Falck out, he wasn't even part of your thinking at the time.

MR KNOBEL: Dr Randera, I'm trying to answer your question. The project started in 1981. The system and the way it was co-ordinated and controlled was established from then onwards. By 1988 that system was working and was running with good security and it was handed over to me as a successful way of conducting the project. In other words, for 8 years it had run that fashion. I was briefed and I asked the question, have we achieved our objectives and I was satisfied that we had. I immediately said, in that case we can now begin the following process, namely the process of privatising, commercialising, normalising and looking after these scientists. We had a large number of very eminent scientists, as you correctly say, that we had to look after. I explained - I think you heard what I said yesterday, that I was initially opposed and I was told that we cannot terminate it at that stage. I was in favour of the fact that it could be not terminated, but scaled-down to the level where the maintenance of the capability could be maintained. That only took place about two years later when it was agreed that now the process of privatisation and commercialisation could take place.

So within three years of me taking over as Surgeon-General, this is where we are now. I'm saying again, with the wisdom of hindsight it might have been a good idea to do what you are suggesting. But let me just say something else to you, within those years, the eight years and the three years, a number of our staff that were associated with the project became knowledgeable. One of them was Dr Brian Davie. Dr Brian Davie fulfilled the role as the technical advisor to myself for a while, but because of the important role that he was beginning to play in support of foreign affairs and in support of the development of a Non-proliferation Council, the beginnings of the new act, Non-proliferation Act. He was very quickly scooped up as it were by the Organisation for the Prevention

of Chemical Weapons, where he is today, working as a director. He was one of the persons who could have been a great help. The minute he was scooped up by the OPCW, Colonel Steyn was the next one that stepped into that position. And today I am sitting with exactly the same situation, or rather the present Surgeon-General is sitting with the same situation. At the very moment Colonel Steyn is in Geneva attending the conference of the Biological Weapons Convention in support of foreign affairs and giving advice to them as to the working papers, as to the friend of the chair meetings, as to the resolutions that South Africa is submitting. We have only two people that really would be in the position to help us, all the others as has been pointed out here by Mr Vally, has resigned from the Defence Force, has been embroiled in other companies or has left the country, and as he correctly says, some of them have gone to Canada.

CHAIRPERSON: Mr Vally?

MR VALLY: General Knobel, in your submission, and I've brought it to your attention a few times, but let me just state again, page 9 you say, and I quote,

MR KNOBEL: Are you now talking about ...(intervention)

MR VALLY: Your personal submission to us.

MR KNOBEL: The affidavit?

MR VALLY: Your statement, yes.

MR KNOBEL: Yes.

VALLY: "During February 1994 it was abundantly clear to both the Minister and myself that there were definite indications that Dr Basson had acted outside the mandate of the project and had probably abused capabilities that had been researched and developed in the project. This impression was further strengthened by the detailed document of the US and UK governments, dated 11th of April 1994."

Now, that's February 1994, and you're very concerned about Dr Basson's credibility. You know that your knowledge of what was or was not put on the discs came from Dr Basson. But if you look at J5, which is the minutes of the Co-ordinating Committee of the 9th of January 1995, under the paragraph 3 where it says "Datavaslegging" with reference, I assume, to the optical discs that you talked about. It says "afgehandel", concluded. My question is, because you became aware and were concerned about the role played by Dr Basson, didn't you think it was necessary to re-visit the issue of what he had told you he had put onto the discs?

MR KNOBEL: Mr Vally, remember this is a - in fact this was the final Co-ordinating Management Committee, it didn't have a function any further. With regards to the project, that component had been completed. By this time the discussion about the documents and about the control over them and about the demarche and about the position of Dr Basson was at the level of Government. I have said to you that we discussed this after the briefing I had from National Intelligence, along with Mr Coetzee, we discussed it during the demarche with the President, with the Chief of the Defence Force at that time, General Meiring, and with the Minister. That was already in February '94. After the election we had to wait quite a while before they had the opportunity to brief Mr Mandela and Mr Mbeki and Mr Modise, Mr Kasrils, that had been done in August '94. At that stage both I myself and Mr Mike Kennedy as you see from his own affidavit had regular meetings with the President and the Deputy President together and separately, and we had discussions, some of which were formal discussions of which minutes were produced, some were informal discussions. And the main issue then, as I explained in my affidavit, was to deal with the demarche because this had international relations implications and proliferation implications, and to deal with Basson separately. And we did, we did - at that meeting when I briefed President Mandela, we discussed the position of Dr Basson personally, and at that point we had agreed, both I and National Intelligence informed President Mandela, in front of President De Klerk that his initial dismissal founded on or based on the Steyn Report, was in fact an unfair dismissal, he had never been charged with anything, he'd never been given a chance to give an explanation. He should have been given that opportunity, or he should have been placed in a position where he could be questioned properly. The only persons who had any dealing with Basson directly was myself and Mr Kennedy of National Intelligence. And on the basis of what he said to the President they had agreed to satisfy the concerns of the Americans and the British, to re-apply him on permanent basis. For that we had to apply to the Commission for Administration to do that, because a person who is on pension cannot just simply be taken back on a permanent appointment. The Commission for Administration took almost a year before they acceded to our recommendation - in fact Mr Mbeki personally had to go and see the Commission for Administration in order to be able to get him re-appointed.

So concerned were they about the control over Dr Basson, over his movements and so on. But the point that I'm trying to make, Mr Vally, is all of us, I put it in my affidavit, at that point everything I knew, everything that I

was concerned about was shared with the President and the Minister and the Chief of Defence Force. It was not any longer at the level of a Co-ordinating Management Committee to make a decision. So from the point of view of what they could have done at this which turned out to be the last meeting, was nothing, it was rather at the level of the Chief of Defence Force, the Minister and the President.

MR VALLY: Well, let's look at annexure J3, the minutes of the Co-ordinating Committee meeting of the 2nd of December 1994. If you look at paragraph 3 there, on the 2nd of December 1994 this Co-ordinating Committee again approves payment ...(intervention)

MR KNOBEL: Just hang on a second.

MR VALLY: Sorry, I beg your pardon.

MR KNOBEL: I'm not - yes, I've got it, thank you.

MR VALLY: 2nd of December 1994, paragraph 3, it says, Brigadier Basson's claim in respect of travel and living expenses was discussed, he explained that he had to travel business class because he had to make travel arrangements at short notice and the meeting accepted as reasonable his claim of R240 000. This is now 2nd of December 1994, a further R240 000 is paid to him.

MR KNOBEL: Yes.

MR VALLY: Any documentation provided by him?

MR KNOBEL: Yes, there is documentation which I believe is still available and which has been made available to the Office of Serious Economic Offences.

MR VALLY: Because there is no reference to it here in this meeting.

MR KNOBEL: No but it was available, I assure you, the travelling documents and so on, they still have it.

MR VALLY: So the R240 000 for travelling and living expenses is justified?

MR KNOBEL: No, sir, no, no, no, this refers to the document that you showed me the other day about the 75 000 US Dollar loan from Passload Flights, do you remember, we discussed it then?

MR VALLY: You see there - yes, we did talk about it, that's TRC 28.

MR KNOBEL: Which were expenses incurred somewhat earlier than the date referred to.

MR VALLY: But that was 7th of May 1994, and that had to do with 75 000 US Dollars that had been advanced to him.

MR KNOBEL: Yes.

MR VALLY: And he was justifying the bribes ...(intervention) MR KNOBEL: That had to be paid back though.

MR VALLY: ... in Chad and bribes in Cameroon, etc. Again no documentation there. This R250 000 seems to be different, this is a claim for R250 000 as opposed to TRC 28, 7th of May 1994 which was a justification for 75 000 US Dollars which had been paid in advance to him.

MR KNOBEL: Which had to be paid back though.

MR VALLY: Well, no, he did have to pay it back, but he said he spent it.

MR KNOBEL: Mr Vally, the question that you're asking is that at this date in December '94 we are still approving money being paid.

MR VALLY: Large sums of money.

MR KNOBEL: Yes, that's true, but the point is, in January - I beg your pardon, in March '93 when he went onto pension, he was kept involved in the project in a part-time capacity as a Citizen Force Officer to clarify certain issues around the Croatian transaction as well as accounts that had to be closed in Europe, which he was the only person that had signatory rights, etc, etc, and that was approved by the Chief of Defence Force. And all the expenses that had been incurred during that period, as well as the expenses that had been incurred when he had to appear in court in Switzerland, etc, were reflected, as far as I can recall, at this meeting. Again if you will see the Chief of Staff Finance and Brigadier Koertzen was asked to attend this meeting because they were the persons who knew the details of the financial aspects and had to advise the Committee on it.

As far as I can recall, this is what this refers to and again I assure you that the expenses that he incurred and the documentation to that effect is still in existence. Those are the only documents that have not been destroyed, are financial documents. In terms of the Companies Act you cannot destroy financial documents, and there are 14 trunks of D John Truter's financial documents that have been made available to the Office of Serious Economic Offences in order to help them unravel this.

CHAIRPERSON: This should be a convenient stage for us to take a tea adjournment, Mr Valley.

MR VALLY: Could I just put one thing on record before we take the tea adjournment, Mr Chair. General Knobel, in your affidavit to you us you did ask us to call Mr Mike Kennedy. He has subsequently submitted an affidavit to us, I understand that you are satisfied with the contents of the affidavit. Do you still require him to be called?

MR KNOBEL: I would certainly like that affidavit to be read into the record, Mr Vally.

MR VALLY: You want the entire affidavit to be read into the record, or to be taken as - as given as forming part of the record.

MR KNOBEL: No, if I may request that it be read in, it's not a long document, it can be read in very quickly.

MR VALLY: We'll ask the Chairperson to consider that over tea and then when we return from tea you can tell us whether Mr Mike Kennedy should ... (indistinct) Thank you, General Knobel.

MR KNOBEL: Thank you.

CHAIRPERSON: We'll adjourn until 11h00.

HEARING ADJOURNS

ON RESUMPTION

NEIL KNOBEL: (s.u.o)

CHAIRPERSON: General Knobel, you are reminded that you are still under oath. Dr Randera would like to make a follow-up question on what we have been dealing with.

DR RANDERA: General, I just want to go back to the minutes of those last meetings that you held where it was reported that all the information had been put on discs by Brigadier Basson. At the time - of course the minutes reflect the points that were made by the Brigadier and you've said already that that was accepted as such. But was there any discussion that took place at the time, I mean given the concerns that we've expressed already and some of the information you had at your disposal at the time in 1994, was there any discussion that took place within the Committee that's not reflected within the minutes about any of these concerns, or was it just accepted by everybody?

MR KNOBEL: Dr Randera, it's difficult to remember you know exactly what had been discussed, but you must understand that at these minutes the Chairman was General Meiring. The - I'm not entirely sure, apart from Dr Steyn who obviously was also fairly well informed, the other members at these meetings, like General Pretorius for example, had just been newly appointed as Chief of the Army, he didn't really have the background of all the events. Certainly Vice-Admiral Malherbe, late - I'm talking about January '94, are we at '95 or '94?

DR RANDERA: '94.

MR KNOBEL: '94. Malherbe had just been appointed as the new Chief of Staff, Finance, he didn't really have the - or rather new Chief of Staff, Logistics. He didn't have background about the project, he had just been appointed, he was really a one meeting man virtually. Mr van Heerden who was

there from the Auditor-General's office, he certainly had been, as far as I know, been involved with the project right from the beginning, and certainly was very closely involved with the Office of Serious Economic Offences investigation, and as the Auditor-General's own investigation in terms of the Joint Standing Committee on public accounts. So within that Committee there were really two or three of us who had full background information and knew that there were investigations going on, that there was a question mark, certainly as far as financial management was concerned, and the possible financial abuses. General Meiring was present at the meeting with the State President, Mr Coetzee in the demarche in February in - where my comments on the American report was tabled and so, so clearly he had exactly the same information that I had, I had kept him up to date. In my affidavit I arranged for him to also be seen - or also to see myself and Mr Mike Kennedy, and that happened in '94, but also in '95, '96, later on. We had regular meetings in which he was brought up to date with the latest developments, developments with regard to where we stood with the various investigations, where we stood with the re-appointment of Basson, what new information, if any, was available at National Intelligence level, and so on.

But now the point that I'm trying to make is, you're asking me to discuss it. Certainly I've been reflecting about this. The minute that it is minuted that I now have to verify whether the discs contained all the information, I would clearly say to the Chief of the Defence Force, are you now expecting me to access all the information, to get somebody else who is an expert, who could look at the documentation and ensure that what is written on the document is now technically - the technical information is now all on the disc and is correct and the formula correct and so on. It would be an impossible task to perform, it would be a task which would take a year. I'm sure that that sort of thing was said.

DR RANDERA: General, the only - I suppose what I'm trying to understand is, are we asking questions that may be unfair to you?

MR KNOBEL: That's the nicest question I've ever ...(intervention)

DR RANDERA: You know, we're looking at this issue four years later, which isn't that long ago, let's be honest, issues of great concern in 1993 already, I think you've said yourself that there'd been concern expressed. Besides the - I mean let's take away the financial aspects, but Brigadier Basson had been travelling to various countries in the employment of ...(indistinct) had raised these issues with different people, and I suppose what I'm asking is, did any of

these people, whether it be General Meiring, whether it be the Financial Controller, did they ask the question, you know, are we just accepting, here's a person - quite justifiably in terms of his control and his understanding from 1981, are we not giving too much power to this one individual in terms of what's on the tapes?

MR KNOBEL: Dr Randera, you're quite right, I don't think the questions are unfair, and in your position I would ask the same type of questions, but let me say this, you're quite right - before I became Surgeon-General in 1987 I raised my first concern to General Geldenhuys with the fact that I became aware of the fact that Wouter Basson was getting instructions, not related to the project necessarily, but just in the broadest possible way, getting instructions and acting as an advisor to other Commanding Officers, to other organisations, even at the Departments without the knowledge, the apparent knowledge of the Surgeon-General. I raised that in 1987. When I became Surgeon-General I again put that question to them, and I've already testified to that. So you're right, clearly it disturbed me that there was not sufficient control.

May I, if you will allow me to say to you, it is at the present time still a major problem. The - my successor says the same to me, he says, I don't have control over people under my command, they are being seen directly by, and he names all sorts of people. And I say to him, now you will understand the position that I found myself in.

Now when we come to conclusions of this hearing, I think the one thing that stands out, is that the dilemma we had with this highly technical type project, which requires a detailed knowledge of chemistry, and as you pointed out, also of other fields like Microbiology and Toxicology, etc, that you end up totally relying on one individual who has a lot of freedom of movement and has the support not only of his own Commander or channel of command, but also of other command channels. That is the dilemma. I really don't know how one overcomes that, how - you know it's not a good thing to run a project through a Committee in any case, in my opinion, it's better to have a one person responsibility, but because of the complexity, both on the financial side, both from the security side and of the scientific side, this is how it was constructed and I can assure you, if you come in as a new Commanding Officer of an arm of service, and you inherit a system which is believed to work and which is believed to succeed, it's virtually impossible to change that.

DR RANDERA: Thank you, Mr Chairperson.

CHAIRPERSON: Mr Vally?

MR VALLY: Thank you, Mr Chair. Mr Chairperson, I just enquire as to when you want to get Mr Mike Kennedy's affidavit read into the record.

CHAIRPERSON: I will consider that as soon as you are through with General Knobel, then we can take his affidavit.

MR VALLY: Alright, because there may be something that General Knobel wants to refer to in Mr Kennedy's affidavit, but he can indicate to us if that's the case.

MR KNOBEL: Yes, Mr Chairman, that is in fact true, I was originally considering to ask you at the end of the questions, unless a question would come up which would be addressed in that affidavit, but my only request would be that you do allow Mr Kennedy to read that into the record at least.

CHAIRPERSON: Yes, I think we should play it that way, Mr Vally, because I wouldn't like to interpose his evidence with that of Mr Kennedy.

MR VALLY: Thank you, Mr Chair. General Knobel, we're still looking at the 24th of January 1994 minute. I have two further questions on that minute, this is the Co-ordinating Committee minutes.

MR KNOBEL: Yes, thank you.

MR VALLY: Paragraph 3, the second sentence, it says something about the South African Narcotics Bureau investigating the dealing in controlled substances and that a report has been forwarded to the Attorney-General whose reaction is awaited. Can you tell us what this was about?

MR KNOBEL: You asked me that question earlier, Mr Vally.

MR VALLY: Yes, I'd asked you the first part about the monsters, the samples, this is the second part.

MR KNOBEL: No but you see I explained to you in my testimony earlier, it was this morning or was it yesterday, that clearly the handling of restricted substances was open to possible criminal charges.

MR VALLY: I'm sorry General Knobel, you did deal with it at that level.

MR KNOBEL: Yes.

MR VALLY: What I should do is put to you, was there at this stage a suggestion or an investigation into the illegal dealing in restricted drugs?

MR KNOBEL: No, not as far as I know.

MR VALLY: Fine. The same document, paragraph 5(e), it talks about certain hardware will not be made available now and will maybe made available if needed, what's the hardware being referred to there?

MR KNOBEL: Mr Vally, I'm not a computer expert, but the information on the CD roms, the technology available to access that information is explained in a

floppy which is contained inside the small safe, and the hardware that you require to access that information is what is being referred to here.

MR VALLY: Thanks. Alright, let's go on to annexure I, I just have a few questions there. Let me first refer you to paragraph 52 of a document drafted by you, dated 24 September 1993.

MR KNOBEL: Yes, I've got it.

MR VALLY: Do you have that?

MR KNOBEL: Yes, thank you.

MR VALLY: In paragraph 52, the last sentence, it appears as if you're saying there that from the 1st of March 1988 you had personal control, or you exercised personal control over Brigadier Basson and you confirmed his appointment as Director of Research and Development in your Head Office on the 1st of October 1988. Would that be the position, even subsequent to that with the operation of Project Coast, that you exercised personal control over Brigadier Basson?

MR KNOBEL: No, Mr Vally, I'd already explained I think also to Dr Randera's question, that I was concerned in '87 when I became aware of the fact that he was being utilised in a consultant role by all sorts of persons, as I've indicated also in this document, without the Surgeon-General being informed or being requested or being asked whether his services could be made available. Now I'm appointed the Surgeon-General, at that time he was still under operation control of Special Forces, and I wanted to rectify that position, or at least improve the situation to such an extent that I would have more direct control over him, so I transferred him back, after all he was under command of the Surgeon-General, the terminology in Army command terms is the command affiliation which existed before I became Surgeon-General was he was under command of the Surgeon-General, but under operational control of Special Forces. That is a military term. I changed that command affiliation by saying, I'm not transferring you back from Special Forces to my Headquarters so that I would have more direct control over you. But the position that he occupied, Director of Research and Development was not only pertaining to this project, that was only one project that he was involved in, it also meant all other deployments of the Medical Service, particularly the employments of Seventh Medical Battalion Group as a quick reaction force. Any other research, any other developments within the Medical Service, whether it was pharmaceutical companies who came to do clinical trials at our Military Hospitals, or whatever the case may be, he would co-ordinate that and would control that. Any - that

type - any research of our veterinary science components in the Kruger National Park with regards to the ...(indistinct) which Professor Hofmeyer gave us a lot of information about. Maybe you don't know it, but in our Kruger National Park we have a very serious threat to our animal population with tuberculosis and foot and mouth disease, and things like that, and we have veterinary officers deployed there to support the Department of ...(intervention)

MR VALLY: General Knobel, just, sorry ...(intervention)

MR KNOBEL: ... we did all of that work and I had more direct control over it.

MR VALLY: Alright and did it refer to also the time when he was the project officer of Project Coast?

MR KNOBEL: No, sir, Project Coast was still run exactly as I explained to you before. It is written in this document and is explained in this document in the further paragraphs following.

MR VALLY: Fine. Let's just move on to paragraph 53.

MR KNOBEL: Yes.

MR VALLY: You say that Brigadier Basson was accountable to the Coordinating Committee for the management and development of the project.

MR KNOBEL: And the running of the project.

MR VALLY: Running of the project, I beg your pardon. That includes research, development and production, and his activities were approved by that body. The situation regarding the operational application of products delivered by the project was different or separate.

MR KNOBEL: That's correct.

MR VALLY: In this regard Brigadier Basson was tasked by the user or the person who gave the orders.

MR KNOBEL: That's correct.

MR VALLY: And his activities are authorised by the person who gave the orders, and then you say the persons who gave orders were the following,

MR KNOBEL: That's correct.

MR VALLY: Have I interpreted that vaguely correctly.

MR KNOBEL: Yes, I must say vaguely, it's not particularly clearly put here. Mr Vally, Brigadier Basson was considered the expert on the utilisation of CR.

MR VALLY: Right.

MR KNOBEL: CR is the product that I'm referring to here. If you go back through the history that was really the final product that we ended up with because we had already then stopped the research on incapacitating agents, destroyed it and so on.

MR VALLY: Let me just understand this, you're saying certain aspects relating to the project are under the authority of the Co-ordinating Committee?

MR KNOBEL: Yes.

MR VALLY: You are saying in respect of, and the word is operational usage, "aanwending"?

MR KNOBEL: That's correct, usage.

MR VALLY: Of the products developed, or "gelewer" developed by the project.

MR KNOBEL: Yes.

MR VALLY: The authorisation for those aspects would be by whoever gave him the order or the instruction?

MR KNOBEL: Yes.

MR VALLY: Now this is what I'm trying to get clarity on, and then you say the people who gave the instructions were the following, and you've got from (a) to (g). Let's look at (g) first, Director-General: National Intelligence Service, now that was, I assume, Dr Neels Barnard.

MR KNOBEL: Yes, I believe so, no, but here maybe we should get the advice from National Intelligence Agency.

MR VALLY: Well however it was ...(intervention)

MR KNOBEL: It was Neels Barnard to begin with, and I think later on it was Mr Louw is it not, I think so.

MR VALLY: Yes. Whoever it was, I mean National Intelligence Service would give instructions about usage of CR gas?

MR KNOBEL: I honestly don't know Mr Vally, all I know is that the Minister had indicated that this man was the national authority on the usage of anti-riot agents and anybody who wanted to - any of these members who wanted to have his advice or his - wanted to have ...(intervention)

MR VALLY: His products.

MR KNOBEL: ... products, or were given the products by the Defence Force and wanted to have advice on how to utilise it, he was the person to advise, that's what I'm trying to say.

MR VALLY: So from what this says, the NIS could have given him direct order or obtained information or products from him?

MR KNOBEL: Yes, I don't think it would happened exactly that way, I think they would have asked him to advise them about the use of and how to obtain it and he would give them the necessary guidelines and they would then follow the

inter-departmental route of getting the permission from the Chief of Defence Force or from the Minister and he would be the technical advisor.

MR VALLY: No, but this is the very point, I mean, your introduction makes it clear that the authorisation to Dr Wouter Basson would be obtained from these very people, and then you've got the Minister of Defence, you've got the Head of the Army ...(intervention)

MR KNOBEL: No, no, Head of the Defence Force.

MR VALLY: Head of Defence Force, I beg your pardon, the General Commanding Special Forces, the Chief of Intelligence, the Commissioner of South African Police, the General Commanding of South African Police, Security Branch,

MR KNOBEL: Yes.

MR VALLY: And you've got the Director-General, National Intelligence Service.

MR KNOBEL: Yes, correct.

MR VALLY: And what you are saying is,

"die situasie het tot of verband die operasionele aanwending van produkte gelewer deur die projek was egter anders", it was different, "in die opsig is Brigadier Basson getaak deur die gebruiker of the opdraggewer ...(intervention)

MR KNOBEL: Yes, what I am trying to say is, within that environment ...(intervention)

MR VALLY: Yes, but now - sorry let me just finish that last sentence, "and in his conduct by the person giving the instructions he was authorised to do so."

MR KNOBEL: I'm saying within that particular environment any activities that he performed in that environment, in the Police environment or in National Intelligence environment, was obviously approved by the Head of that particular department, that's what I am trying to say here.

MR VALLY: So ...(intervention)

MR KNOBEL: And I'm saying again to you, in my knowledge, this was the use of CR, or the potential use of CR.

MR VALLY: This is what confuses me because why would the Security Branch, or why would National Intelligence Service, or why would the Minister of Defence be obtaining CR from him? Surely the Minister of Defence will come to you?

MR KNOBEL: Mr Vally, I have no idea why National Intelligence would want to use CR.

MR VALLY: If I was to put to you, based on what you say in this paragraph, that the poisons, anthrax in the cigarettes or cyanide in whisky or whatever, was what was envisaged ...(intervention)

MR KNOBEL: By myself?

MR VALLY: No, by authorising these individuals to directly authorise ...(intervention)

MR KNOBEL: I cannot answer that and I think I'd be speculating.

MR VALLY: No, but did they have the requisite authority to do so?

MR KNOBEL: No, I'm not saying that.

MR VALLY: Without having to go through the Co-ordinating Committee, because this was a separate issue?

MR KNOBEL: No, I cannot answer that, Mr Vally. I've put down here the way I experienced this and what I was concerned about, and I have said in the next paragraph or on the bottom half of that paragraph, I was unhappy with the situation and I complained about it and I said I did not like it. I thought that if any need was required for CR by for example the Security Police, the right person - I was in possession of the CR, it was on my stores and had to be protected and maintained by myself, and if anybody needed it they could come to me for it. Or if it had been weaponised as it was in Project Academic - not Project Academic - we had the same problem the other day, remember, when we spoke about those two.

MR VALLY: Yes.

MR KNOBEL: But ...(intervention)

MR VALLY: Project Black?

MR KNOBEL: No, no, not Black, but you know the one I mean.

MR VALLY: Okay.

MR KNOBEL: I can go back and look it up, but anyway the project where the Army weaponised CR and put it into rifle grenades, etc, etc, you remember that?

MR VALLY: Yes.

MR KNOBEL: Those items would be under control of the Chief of the Army, and that would have to be the liaison channel. But the problem is, they didn't go directly to the Chief of the Army to access CR hand-grenades or whatever the case may be, they came directly to Basson.

MR VALLY: There's no reference to CR in this particular paragraph.

MR KNOBEL: But it's the only operational product that we had at that stage.

MR VALLY: Than you were aware of?

MR KNOBEL: That I was aware of, of course.

MR VALLY: And that's the issue I'm raising with you, that there may have been operational products which you were not aware of, which for example the Head of the Security Branch had the authority to directly access ... (intervention)

MR KNOBEL: It's misleading to say that I am saying he had the authority to directly utilise that, that's not what I mean here. I'm saying that any activity of Basson within the environment of that particular department or section was under the control of that sectional head, and I was unhappy about that.

MR VALLY: Alright, just that same document, the annexure thereto, annexure A, which is the ... (intervention)

MR KNOBEL: It's the same annexure that I gave you just now with regards to the Minister ... (intervention)

MR VALLY: That is correct, yes.

MR KNOBEL: Yes.

MR VALLY: Now, you've got Delta G Scientific, established 1982,

MR KNOBEL: Yes. Opened in Midrand '85.

MR VALLY: Opened in Midrand in 1985, sold to management and employees 1991. Last contract March 1993. Final handing over of "aandeelsertifikate", share certificates, 31st of March 1993. I want to touch on this whole issue for the last time, this issue of front companies. When people were appointed directors of these front companies, I heard them telling us that they signed blank transfer of share certificates, do you recall that?

MR KNOBEL: Yes, I know that they testified to that.

MR VALLY: Alright. I also have been given to understand, and you can tell us which companies it was applicable to, but first of all, when the companies were sold to whoever, and there have been disputes about who should have got shares and who didn't get shares, you - and I say you in your capacity as the person responsible for the companies as Surgeon-General because of Project Coast, or the Co-ordinating Committee. Let's call it a Co-ordinating Committee.

MR KNOBEL: Yes, I would prefer it, yes.

MR VALLY: The problem is, the Co-ordinating Committee only met once a year as far as I understand, unless there were special meetings.

MR KNOBEL: No, there were special meetings. The pattern that you see in the minutes that I still have in my possession and that I've not given to you indicates that there was usually a meeting at the beginning of the year, which there was the planning for the year meeting, but there was also a meeting

towards the end of the year in which the budget of the following year was being determined. And I said that these last few meetings were relating how to finally terminate and privatise the companies.

MR VALLY: So what would happen is that the remaining contract, with elements of the Defence Force, whoever, if they were cancelled, the company would be paid out? The employees would buy the company, or the management would buy the company. Thereafter were any of these companies re-sold to the Government at a profit?

MR KNOBEL: Not that I'm aware of, no. The only company that was bought, as you say, by Government, was Protechnic that had been taken over by Armscor.

MR VALLY: I think we heard evidence to the effect that something similar happened with RRL.

MR KNOBEL: Oh, I beg you pardon, sorry, Mr Vally, you're quite right, the - I wasn't thinking - I was thinking in terms of Defence Force taking control over a company again. You're quite right, RRL, - the, is it agricultural services, I believe so, and of course the breeding farm was taken over by ...(indistinct) service, the breeding component.

MR VALLY: So there may have been situations where ...(intervention)

MR KNOBEL: But you're saying at a profit, I honestly don't know, I don't know about those transactions.

MR VALLY: Okay. The final set of documents I want to go through with you are set out in annexure G. This is headed "The chronological development in relation to the Croatian transactions". There are a number of issues that are of concern here, and let me just take you through some of the aspects. If you look at paragraph 3, you are saying in paragraph - sorry, I'm looking at - do you have the document.

MR KNOBEL: Yes, I have it in front of me.

MR VALLY: Alright. Paragraph 3 says originally products and weapons were developed which included all three classes, and you name them as those which were irritants, those which were incapacitants and those which were toxic - lethal would be a better word.

MR KNOBEL: Yes, that's right.

MR VALLY: Now, can you explain to us what was meant by this, that there were products or weapons which were being developed in terms of Project Coast which were potentially lethal.

MR KNOBEL: If you will give me just one minute, Mr Vally. I did say at the beginning of the hearing that I wanted to refer to the TRC briefing that I gave in January '97, do you have that document, I'm not sure of the ...(intervention)

MR VALLY: We do have it, please go ahead.

MR KNOBEL: Yes. In that document this situation is exactly explained where details are given about the initial so-called implementation phase - I'm just getting the exact page and I'll tell you. If you page to page 25 under "Chemicals Weapons Research" I say,

"The chemical research development and production facility, Delta G Scientific was commissioned in '85. It operated as a private company, it was fully integrated in chemical community where it operated undercover successfully till the programme was stopped."

Paragraph 39,

"Chemical agents were categorised as lethal, incapacitating and irritating agents."

Under paragraph 40,

"Lethal agents, these agents were considered to be those that had been developed exclusively for use as lethal chemical agents in weapons of war. It was apparent at a very early stage of our research, but there was no sense in trying to develop and study molecules that were more toxic than those already known in the field. Those molecules were an adequate deterrent even though they had been around for many years. What was important is that new delivery and penetration enhancement techniques have made protection against these agents vastly more difficult. Following philosophy regarding these agents was developed and implemented. All known molecules in this group would be synthesised on lab scale. This was followed by confirmatory investigation of the chemical and toxicological properties of the molecules. Further research would be done on the various penetration enhancement techniques applied to these molecules. All substances in the above findings will be made available to the Defensive Equipment Research Programme and no weaponisation would be implemented for any of these."

I think I give you more details of that later on, let me just make sure. Yes, ...(intervention)

MR VALLY: General Knobel, so what you are saying is that you did in fact work on lethal agents but you didn't develop them further.

MR KNOBEL: We didn't weaponise them.

MR VAN ZYL: You didn't weaponise them?

MR KNOBEL: No, we didn't.

MR VALLY: Fine, let's just go on. Paragraph 8, the same document, where it was decided to accelerate the project,

MR KNOBEL: That's correct.

MR VALLY: And there's reference to a 6,6 million South African Rands in order to obtain items I believe from overseas?

MR KNOBEL: Yes.

MR VALLY: Now I'm trying to understand why this is happening because you're trying to do it before the end of 1992. We know that in January '93, and I refer you to paragraph 38 where the Minister of Defence on the 2nd of January 1993 gave an instruction that all incapacitating agents, including "voorloperstowwe", I'm not sure what gasses those are,

MR KNOBEL: Ground substances.

MR VALLY: Ground substances, and this sort of weaponry must be destroyed?

MR KNOBEL: Yes.

MR VALLY: Was this acceleration of the project in anticipation of that instruction?

MR KNOBEL: No, it was in anticipation of the signing of the new Chemical Weapons Convention which was eminent, which was going to take place in January '93.

MR VALLY: So why would there be an acceleration of that project to acquire substances which you would have to destroy the very next month or the next year?

MR KNOBEL: The development of the incapacitating agents at that stage were considered as dual-use chemicals, I explained that earlier this morning, but it would also be utilised in an anti-riot capacity. The use of an anti-riot agent certainly - the only exception being BZ is not addressed by the Chemical Weapons Convention.

MR VALLY: Well we know that Cr, if you use it outside the country, you must notify the controlling body.

MR KNOBEL: Yes, but you don't have anti-riot situations outside the country.

MR VALLY: That's the point. The point is you were allowed to use it within the country. But you do have to declare it though.

MR VALLY: Well, we'll come back to that aspect again, but now ... (intervention)

MR KNOBEL: But you must also - Vally, you must remember we are anticipating here what is going to happen with regards to the Chemical Weapons

Convention. As I've said to you already, we initially thought that the Convention was going to be signed earlier possibly, but we also thought that it might take a lot longer for the gratification to take place. The Convention was signed in January '93. We anticipated that we would have two years before it would be ratified and then enter into force. So that gave us quite a bit of time - leeway. And in our discussion with Minister at the meeting in January '93, that appears in the discussion. If you go back to that document you'll see that we've discussed it detail. In fact it took a lot longer for the Convention to be ratified and ultimately it entered into force in April '97 last year. And please remember this, I've tried to explain it to you, we were in the process of moving South African troops out of Angola and out of Namibia. Namibia was becoming independent, the Cubans were withdrawing, we were hoping that we would negotiate a settlement between Savimbi and Netha. And the Defence Force said to Government, this means only one thing, that now we will have to work up towards a negotiated settlement in South Africa, which is what happened - which is exactly what happened.

MR VALLY: Which is why I'm asking with reference to paragraph 8, why was the project accelerated?

MR KNOBEL: To deal with mass-action in South Africa, that was the emphasis, where shifting from a retaliatory capability to dealing with riot situations, and we did have at that time the various emergencies being declared.

MR VALLY: Just - whilst you're talking about the Chemical Weapons Convention, South Africa had some time before that been declared to be a chemical weapons state by the United States I believe. Are you aware of that?

MR KNOBEL: No, sir, I know that at the '89 meeting a declaration - or rather a document was made available about the so-called chemical weapon capable countries and the industrial countries that possibly had that capability, and South Africa was part of that.

MR VALLY: Alright, going on with this document, paragraph 13, it talks about when the project officer, and I assume we're still talking about Brigadier Basson at this stage?

MR KNOBEL: Yes. This is a chronological layout of what had happened prior to the Croatian ...(intervention)

MR VALLY: Right, what I understand - arranged in certain aspects which are of interest. He went to Moscow where he met people involved the area of chemical warfare and he met amongst others a group of Croatians.

MR KNOBEL: This is what he says here.

MR VALLY: Alright. Sorry this - is this his document or your document?

MR KNOBEL: Mr Vally, I testified to you before and in my affidavit I indicated to you that I had spoken to them - I had insisted to brief the Minister immediately about the programme when I learned that the money in Croatia had been lost or there was a problem.

MR VALLY: Right.

MR KNOBEL: And I indicated to you that I then had a meeting with the Minister and he said, I want a document which sets out the chronology of what had occurred.

MR VALLY: Right.

MR KNOBEL: And Brigadier Basson was asked to draw up such a document, and this is the document that you have in front of you.

MR VALLY: Fine. Well let's go on. Paragraph 14, it says with the acceleration of the project and the budget cuts it wasn't possible for the project management to manufacture all the chemical products locally and they had to look for sources outside South Africa.

MR KNOBEL: That's correct.

MR VALLY: From what I understood, you were worried about the quality of the methaqualone rather than the fact that you couldn't access it internally or manufacture it internally.

MR KNOBEL: Certainly quality was also a factor, but these factors were organised.

MR VALLY: But that's not a issue for Dr Basson, his ...(intervention)

MR KNOBEL: He's not mentioning it here, Mr Vally.

MR VALLY: That's right.

MR KNOBEL: I'm telling you the quality was one of the issues.

MR VALLY: I see, fair enough, but the point to note is, Dr Basson hasn't said that.

MR KNOBEL: Fine.

MR VALLY: In September 1992 he says there was already dealings with a group of Croatians in ...(intervention)

MR KNOBEL: Can I just - sorry, Mr Vally.

MR VALLY: Sure.

MR KNOBEL: With regards to your remark just now, if you look at paragraph 16 you will see that he says there the 500 kilograms of substance M, he did sampling of it, he did an analysis of he then said if the analysis is satisfactory he would then pay for it. That deals with quality.

MR VALLY: Sure, I've got not problems with that.

MR KNOBEL: I'm just trying to say that he does mention it.

MR VALLY: We'll come back to that paragraph. So he meets with a group of Croatians and he says the leader of this group of Croatians was a Minister of Energy Affairs of Croatia, a Mr Kagfeg and it also had representatives from the Croatian Military the Croatian Boarder Guard and the Croatian Security Police and a Special Forces Unit of Croatia.

MR KNOBEL: That's correct.

MR VALLY: There's an agreement to buy 500 kilograms of substance M, and we now know that's Methaqualone.

MR KNOBEL: Yes.

MR VALLY: And which would be supplied on the following conditions,

- (a) there'll be a sample of the substance given to the project officer, Dr Basson, and thereafter the containers would be sealed;
- (b) that he would test the substance in Switzerland; and
- (c) that if he's happy with the test he would pay for the substance in the sum of 4600 US Dollars per kilogram or - between 4600 and 5000 US Dollars per kilogram and then he would arrange delivery either by air from Zagreb, which he would arrange himself, or by road from a safe area, either an Austrian or Slovakian border.

This is all done by Brigadier Basson.

MR KNOBEL: Yes, sir.

MR VALLY: You have no personal knowledge of it other than what Brigadier Basson told you?

MR KNOBEL: That's correct.

MR VALLY: It may be fantasy, it may be fact.

MR KNOBEL: Do you want me to speculate?

MR VALLY: No, I'm putting to you. Do you have independent evidence that this happened?

MR KNOBEL: No, apart from the fact that you read earlier on that I had a meeting with Mr Reggley who was the Intelligence Head of the Swiss Defence Force, and you also have the two communications that I received from Jacomet, who was the agent.

MR VALLY: We're going to come to those. In any event, there was a problem regarding the payment guarantees, for want of a better phrase, "betalingvoorwaardes". The four parties involved, and I assume that's the people referred to above, all the various elements of the Croatian Armed Forces

and Security Branch, etc, allegedly did not trust each other and therefor there were no normal exchange of letters of credit I assume, which could be used for the payment of these substances.

MR KNOBEL: That's correct.

MR VALLY: Was this an illegal transaction in Croatia?

MR KNOBEL: I have not idea.

MR VALLY: I mean we had the Minister of Energy Affairs involved, why weren't normal channels used to pay?

MR KNOBEL: Mr Vally, I have no idea.

MR VALLY: Okay.

MR KNOBEL: I think from what you have in front of you, those parties that took part in this clearly didn't want to have it being done in the open or through normal channels as you suggest, according to this document.

MR VALLY: So he then says that arrangements would be made with bank Indoswiss in Geneva to provide letters of guarantee. Is that correct?

MR KNOBEL: That's what he says, yes.

MR VALLY: Well, was this done?

MR KNOBEL: Yes, sir.

MR VALLY: Did we put money in the bank in Geneva to cover the guarantees?

MR KNOBEL: Yes.

MR VALLY: And thereafter, after the successful delivery and payment you would arrange with the bank in Geneva to cancel the guarantees?

MR KNOBEL: Correct, and that money would then be refunded to South Africa.

MR VALLY: That's correct. So we're talking about potentially two large amounts of money.

MR KNOBEL: Yes.

MR VALLY: One would be cash to be paid to them and the other one to be paid in a bank to cover the guarantees.

MR KNOBEL: Correct.

MR VALLY: And payments would be made through an agent.

MR KNOBEL: That's right.

MR VALLY: And I assume that is Dr Jacomet?

MR KNOBEL: That's the other man, yes.

MR VALLY: Alright. He goes on to say he was happy with the quality and because the Airport in Zagreb was closed it was taken to Austria and from there

I assume it was flown into South Africa. He doesn't say further about what happened to the items, the 500 kilograms.

MR KNOBEL: Yes, to the best of my knowledge that did come to South Africa.

MR VALLY: Fine. Then he talked about the transfer of the funds to a Captain Jurg Jacomet, who he says is also involved in Swiss Intelligence.

MR KNOBEL: Yes.

MR VALLY: And this happened on the 6th of November 1992.

MR KNOBEL: Yes, according to ...(intervention)

MR VALLY: Any idea how these funds were transferred?

MR KNOBEL: No idea.

MR VALLY: Any idea where he got the money from, this is now Brigadier Basson? We're talking, and it says so, a sum of 2 million 300 000 US Dollars.

MR KNOBEL: Yes, this was project funds that had been transferred from D Johan Truter to the bank in Switzerland for use by Basson.

MR VALLY: So what we're in fact talking is double this amount, we're talking 4 million 600 000 Dollars.

MR KNOBEL: No I don't follow that.

MR VALLY: And I'll tell you why. We're talking about the funds which had to be deposited in the bank in Geneva to cover the letters of guarantee.

MR KNOBEL: That's correct.

MR VALLY: And we're talking about the money which went to the agent, who was Dr Jacomet.

MR KNOBEL: Which was the cash payment of 2,3.

MR VALLY: Yes, so there are two amounts involved.

MR KNOBEL: Yes, that's correct.

MR VALLY: So we're talking 4 million 600 000 Dollars, US Dollars. And all this money went through Truter you say, Truter Financial Consultants?

MR KNOBEL: As all other funds of the projects of Delta.

MR VALLY: And this properly audited as far as you know?

MR KNOBEL: Yes, as far as I know, and he's still now part of the investigation of the Office of Serious Economic Offences.

MR VALLY: Now would Truter give that 2 million 300 000 US Dollars directly to Dr Wouter Basson, or would he transfer it - would the company transfer it themselves to Dr Jacomet's account in ...(indistinct)

MR KNOBEL: No, it would be under control of Dr Basson.

MR VALLY: So in some form or the other Dr Wouter Basson, is he given the full 4 million 600 000 US Dollars?

MR KNOBEL: Yes, of course.

MR VALLY: And no documentation, you accept that he would be doing what he said he's doing?

MR KNOBEL: No, there is documentation. All the documentation with regards to this transaction has been made available - all the existing documentation, let me put it that way, has been available to the ...(indistinct)

MR VALLY: Do you have a deposit slip from the bank in Geneva?

MR KNOBEL: Mr Vally, please,

MR VALLY: Well have you ever seen a deposit slip from the bank in Geneva?

MR KNOBEL: No I haven't, but I assure you the Office of Serious Economic Offences has been investigating this now, along with all other allegations, for almost 6 years. Please call one of them to give you that answer. I assure you, whatever was in our possession, whatever was in the offices of D John Truter has been made available to them, totally.

MR VALLY: Alright, paragraph 22, two parties got the money it says amounting to 790 000 US Dollars.

MR KNOBEL: Yes, and consequently the bank guarantees were released and the money was returned to South Africa out of the bank.

MR VALLY: In that sum?

MR KNOBEL: Yes.

MR VALLY: Not the full sum?

MR KNOBEL: No, because you only have those two parties agreeing that they have been paid their amount.

MR VALLY: Fine. The guarantees were given separately - there were separate letters of guarantee or was it a globular sum?

MR KNOBEL: No, the four parties insisted that they each have a separate letter of guarantee.

MR VALLY: Alright. Brigadier Basson says at this stage he lost contact with the Croatian parties and also with Captain Jacomet. He visited Zagreb in January 1993, he couldn't get hold of these individuals. In February he determined that the third government officials and Captain Jacomet were arrested in connection with some doubtful transactions where Minister Kagfeg was involved, is this the Minister of Energy Affairs of Croatia?

MR KNOBEL: Yes.

CHAIRPERSON: Mr Vally do you have any indication how long you are going to still be on this issue?

MR VALLY: Yes, on this issue ...(intervention)

CHAIRPERSON: I am determined that by lunch time we should have completed taking evidence from everybody and that includes Mr Kennedy and that cross-examination, re-examination, everything should have been done. We must make our choices now, it's now 12h00 and we have got one hour within which to wrap up everything.

MR VALLY: I'm sure that we will finish by that time, Mr Chair.

CHAIRPERSON: Well I only need more that just the assurance, at the rate at which you are going I don't - but I can't dictate to you how you should conduct, as long as you know by 13h00 everybody else will have done what they have to do, which means that you should have taken Mr Kennedy by 12h30 so that we have at least half an hour for re-examination by other counsel. I just felt it would be fair for you to be able to know that you have to do some economy of time.

MR VALLY: I not that, Mr Chair. Let's go on, General Knobel. General - Brigadier Basson makes a number of trips in this period to Croatia as we know. Now, there's something strange in paragraph 29, and I'm trying to understand this. During his visits he's told by someone from Danish Intelligence that him and Brigadier Basson together got hold of barabonds in the some of 40 million US Dollars and these barabonds are allegedly provided by the Vatican to the Croatian Government for the purchase of weapons, and it is intercepted by the said Danish person and the project officer which is Brigadier Basson. What was this all about?

MR KNOBEL: Mr Vally, you have in front of you the same information that I was given and that the Minister was given. This is what we were told and this is what he put in writing.

MR VALLY: Did you ever enquire what was happening?

MR KNOBEL: Enquire from whom?

MR VALLY: From Brigadier Basson.

MR KNOBEL: Of course I did.

MR VALLY: And what did he say?

MR KNOBEL: He said this is what had happened.

MR VALLY: That him and a Danish agent intercepted 40 million US Dollars of Vatican barabonds which they were going to use to buy arms in Croatia?

MR KNOBEL: Yes, that the Vatican was being using to buy arms in Croatia.

MR VALLY: That's right.

MR KNOBEL: Yes, that's correct.

MR VALLY: And how did this involve the Methaqualone?

MR KNOBEL: No, no, this had nothing to do with Methaqualone, this was trying ...(intervention)

MR VALLY: I'm trying to understand how it's connected.

MR KNOBEL: This was going to be a method of forcing the Croatian Government to pay out the money that was owed by the Minister of Energy Affairs.

MR VALLY: I see, so what we're saying is that Brigadier Basson was hanging onto these 40 million US Dollars of barabonds from the Vatican to blackmail the Croatian Government to pay back the money that they had of his?

MR KNOBEL: Yes, that is what he is saying, in fact.

MR VALLY: I see. And so what was Brigadier Basson arrested for in Switzerland?

MR KNOBEL: For presenting these bonds for payment and it was then discovered that he was not entitled to the bonds, by the Swiss Government.

MR VALLY: This 40 million US Dollars of their ...(intervention)

MR KNOBEL: That is how I understood it and that was what he was arrested for, and that is what he had to appear in court for.

MR VALLY: And did he have authorisation to try and cash these Vatican bonds?

MR KNOBEL: I don't know Mr Vally. What you have in front of you, Mr Vally, if I can try and save time, is this is the chronology of events that he was asked to draw up and this is the document that served in front of the Minister and I myself and the Chief of Defence Force was there as well.

You see he says in paragraph 32 he had an authorisation letter where he got the ownership of those documents - exactly what that letter is I don't know, I haven't seen it. And then they tried to exchange it ...(intervention)

MR VALLY: There's a reference to a further 5 million US Dollars in paragraph 32.

MR KNOBEL: Yes.

MR VALLY: Do you know what that is all about?

MR KNOBEL: No, he says that was the face-value of those bonds if I understand it correctly.

MR VALLY: Which bonds are we talking about now, the Vatican bonds?

MR KNOBEL: Yes.

MR VALLY: But I thought that was 40 million US Dollars.

MR KNOBEL: I know, Mr Vally, I read this too, but that is what he says there, the face-value. He possibly had some of those bonds he had an authorisation

letter or he managed to obtain it. But clearly this is the type of information that only one person can give us and that is Dr Basson himself.

MR VALLY: Well the question for me to you is that this man is dealing with public funds, you know, he's been given 4 million 600 000 US Dollars coming out of our Treasury and absolute control over this money. He's running to Croatia, he's the sole person who makes the imports, no-one had any other information ...[intervention]

DR KNOBEL: Mr Vally, but at this stage there was no reason to doubt that he was able to deal with that. He had been doing it for the previous 10 years, all the funds of the project.

MR VALLY: Well, you know OSEO was asking questions about this issue since 1991.

DR KNOBEL: No, Sir, I'm sorry, you are not correct.

MR VALLY: Alright.

DR KNOBEL: The OSEO's letter to me was addressed to me on the 8th of December 1992 and I received it in January '93.

MR VALLY: Fair enough.

DR KNOBEL: Well it is not only fair enough, it's incorrect what you were saying, it was not from '91.

MR VALLY: Alright.

DR KNOBEL: It was from the end of '92. It makes a difference.

MR VALLY: Well you know, I don't want to go back especially since I'm under time pressure but we're talking about trips that he was making in 1993 to Croatia, to Switzerland ...[intervention]

DR KNOBEL: No, I beg your pardon, to try and recover the funds that had been lost during this process.

MR VALLY: But he's arrested for having other bearer bonds, at least 5 million US dollars, maybe 40 million US dollars and this happens in that period?

DR KNOBEL: That's correct.

MR VALLY: Were you just approved R250 000 at the Co-ordinating Committee for his travel?

DR KNOBEL: No, we haven't just approved it, it was long before.

MR VALLY: Oh, we approved it subsequently but it was paid for?

DR KNOBEL: Yes, but the money was still owing to the agent who gave us the methaqualone. But Mr Vally, really quite honestly, don't you think that if we have an investigation of the Office of Serious Economic Offences who is going into all the details, who has got all the documents for D John Truter, who's had

access to all the bank accounts and has been overseas now for two years investigating this, it would be better for us to leave it with them to unravel this? I certainly cannot give you anymore information than what was written on this document and that was presented by him in my presence and General Meiring's presence to the Minister of Defence.

CHAIRPERSON: I never felt myself more in agreement with General Knobel than with what he has stated. Certainly if it is for our benefit as the panel, I don't think we are going to come anywhere near understanding this thing any fuller than we have understood. I have understood from the very beginning that Basson was flying around the continent of the world with large sums of money for projects that had nothing to do with the project that he was supposed officially to be doing. And I think that point does not get enhanced by anymore detail about whether the money was from the Vatican or from bearer bonds or from anything else. It is here, it has been canvassed, and I think with great respect, we should move on. Sensationally yes, it makes all the difference that the Pope and everybody else was part of this whole insidious thing but I don't think we are making any point further Mr Vally.

MR VALLY: Mr Chairman, let me make my point there?

CHAIRPERSON: Please do Mr Vally.

MR VALLY: Thank you Mr Chairman.

I refer you to the affidavit of Mr Jacomet, it's G3.

DR KNOBEL: Yes.

MR VALLY: According to Jacomet, and I'm talking about paragraph 1, 2, 3, 4: "I have never entered into any agreement either verbally or in writing with Doctor Basson to receive any fiscal compensation for my services rendered in this transaction"

I refer to going to up to paragraph 2:

"I did not enter into any agreement whatsoever with Doctor Basson or any other party either verbally or in writing with regard to delivery of the said substances"

Now we're talking about a man who has been given cash US dollars of 2.3 million US dollars, no documents, nothing in writing, cash is given to Doctor Basson, allegedly Doctor Jacomet receives this cash.

I refer you to the bottom of that same page of the affidavit:

"The money was transferred to my bank account. I received a telephone call from Doctor Basson, just a telephone call. He instructed me to payments in cash of 450 000 US dollars each to two certain individuals in Zagreb"

And then he says some individuals would approach him, they'd give him certain codes and he'd give them the cash. He gave the money to individuals whose names were not known to him. Now was this the standard procedure, that as far as you know, I mean he's been operating like this for 10 years?

DR KNOBEL: No, certainly this was not the standard procedure but this was an exceptional case. But Mr Vally, I'm trying also to gain some time, this deposition was made in August '94 in Bonn. At this stage Jacomet is searched by the Swiss authorities, nobody can trace him at the moment, why he made this statement and how truthful the statement is, I honestly don't know and how reliable it is. I'm giving it to you in this document simply to show you about the chronology of events and how it effected my position with regards to Basson. I don't know whether this has any value, all of the has been made available to OSEO and they are investigating it and I would really say let's leave them to solve this problem.

MR VALLY: Alright. The final point I want to make is that money, according to his affidavit, money is put in his account and part of the problem is he mixes it with his private funds and that's why the money isn't(?) cashed according to him.

DR KNOBEL: Yes.

MR VALLY: He gives out cash to individuals after a telephone call from Doctor Basson saying payout people who come with certain codes.

DR KNOBEL: The two remaining agents or the remaining parties.

MR VALLY: Whoever they may be.

DR KNOBEL: Yes.

MR VALLY: People arrive there, give him the codes, he pays them, he doesn't know who they are ...[intervention]

DR KNOBEL: He says he doesn't know it ...[intervention]

MR VALLY: He says so, yes.

DR KNOBEL: He says so but I'm not sure if that is true or not.

MR VALLY: Again, it's State funds. This is how Brigadier Basson is operating. What worries me is the Co-ordinating Committee, and I assume up to ministerial level, are finally satisfied with these explanations, from the documents we've been through.

DR KNOBEL: No, I'm afraid that's not quite true. The result of this is that all of this has been handed over to the Offices of Serious Economic Offences. Efforts have been made through our Foreign Affairs Office to recover some of the funds. You know what the situation is Croatia like, there's no ways that you

can make any progress along those lines, we've tried. And we have not closed the book on this yet.

MR VALLY: OSEO may be busy with it but the Co-ordinating Committee minutes clearly indicate that it's agreed the money is lost, we're writing it off.

DR KNOBEL: No, Mr Vally, I indicated to them that: "I'm afraid it seems to me the money is lost", but we haven't given up that case, at least it wasn't given up after the project had been closed down.

MR VALLY: Alright. Let's just conclude with me putting the following issue to you General Knobel, you were aware of the mandrax and ecstasy programmes to be ...[intervention]

DR KNOBEL: Mr Vally, I corrected you earlier on, I was not aware of a mandrax or an ecstasy programme.

MR VALLY: Alright.

DR KNOBEL: I had only approved, along with the Co-ordinating Management Committee, the study and the research and the development of certain incapacitating agents which were analogues or derivatives of methaqualone and of that other formula which we discussed yesterday, which you say was ecstasy and which ...[intervention]

MR VALLY: Well, let me help you, you were perfectly aware that General Neethling had given 200 000 mandrax tablets for the purposes ...[intervention]

DR KNOBEL: I was not perfectly aware of that, that was long before I became Surgeon General. I heard his testimony and I was informed by my predecessor that they had received some of those substances from the police.

MR VALLY: Absolutely, you had heard that.

DR KNOBEL: Yes.

MR VALLY: Yes, that's all I'm getting from you. And that was mandrax, that wasn't anything else.

DR KNOBEL: In order to extract from it ...[intervention]

MR VALLY: But it was mandrax. You were aware of some projects codenamed Baxil.

DR KNOBEL: That's true.

MR VALLY: Which you didn't know what it was.

DR KNOBEL: I knew that it was a substance from which they were going to produce an incapacitating agent.

MR VALLY: You knew it was a substance which Doctor Mijburgh amongst others was seriously concerned about, may have led to him being prosecuted to the effect that ...[intervention]

DR KNOBEL: When did I testify that Mr Vally?

MR VALLY: You said so in a letter where you assure him that: "From the point of delivery, I'll protect you from prosecution".

DR KNOBEL: But the ground substance was a controlled substance and that he had to have the assurance that he could not be prosecuted if he dealt with that and I gave a very clear indication in the answer, under which circumstances we were prepared to give that kind of immunity.

MR VALLY: So you were at least aware that there was mandrax involved at some stage?

DR KNOBEL: Yes, I did know that methaqualone and mandrax had the same ground substance.

MR VALLY: You were at least aware that this substance, codename Baxil which we now know to be ecstasy, was giving rise to concern, giving, sorry, raising concern of prosecution by the people who are responsible for manufacturing it.

DR KNOBEL: Yes.

MR VALLY: To the extent where they asked you for indemnity.

DR KNOBEL: Yes.

MR VALLY: We've put to you - well let me tell you a third thing that you may be aware of, you may be aware of the fact that it was, and we're talking methaqualone, was a restricted substance whereby you had to resort to all sorts of subterfuge to source it from Croatia? If it was a perfectly legal substance which would be freely obtained on the market, why would you go through the that subterfuge.

DR KNOBEL: No, Mr Vally, I don't exactly know what you mean by subterfuge but you are quite correct if you say that I had known that it was a controlled substance that couldn't just be bought off the shelf in Croatia.

MR VALLY: Fine. We've asked before and I repeat that, did you have any scientific basis for believing that these substances could be used as safe forms of crown control?

DR KNOBEL: Yes, I do.

MR VALLY: What is your scientific basis?

DR KNOBEL: If you look at the comments of the Americans and the British on our programme, you will see after they were given a briefing they comment that those substances have been studied as incapacitants and they accepted as being legitimate studies for incapacitants. They are after all the world experts.

MR VALLY: We're talking about production, we're not talking about studies, we're not talking about experiments.

DR KNOBEL: No, no, no, I'm also talking about production Mr Vally.

MR VALLY: So you're saying that the Americans and the British have in retrospect felt you were justified in your experiments and your production or methaqualone and what we now know to be ecstasy.

DR KNOBEL: No, Sir, what we now know to be a ground substance for a possible incapacitating agent. The Americans in their comment on our programme calls it a very sophisticated programme of a sophistication which they've only found in the Russian programme elsewhere.

MR VALLY: We've heard that before. We've also heard scientists before us saying that scientifically and we've had our experts saying that it is pretty pathetic from a scientific point of view, the whole programme.

DR KNOBEL: Listen Mr Vally, quite frankly you, I don't agree with you. There is in this country not an expert on Chemical and Biological Warfare that can give that kind of comment, and I'm not saying that in a derogatory sense to Professor Folb, I have a lot of regard for him as a person, but he is not an expert in Chemical and Biological Warfare.

However, Don Marley and Graham Pearson that was part of the team that came in to look at our programme, they are world experts and they have accepted it and they have put it in writing.

MR VALLY: Your knowledge of Chemical and Biological Warfare we know ...[intervention]

DR KNOBEL: But that was not the point.

MR VALLY: Yes. No, that's fine. The sole basis of reporting on what the developments in our Chemical and Biological Warfare programme for you was Brigadier Basson.

DR KNOBEL: That's correct.

MR VALLY: You're saying that because of this demarche, and remember the first demarche was to tell the then President, President de Klerk, we don't want these things to fall into the hands of the ANC.

DR KNOBEL: Correct.

MR VALLY: The second demarche to President Mandela was: "You don't know what these guys have been doing behind your back, be aware of it and destroy it".

DR KNOBEL: That's correct.

MR VALLY: So their motives are questionable.

DR KNOBEL: That is true.

MR VALLY: I also want to put to you ...[intervention]

DR KNOBEL: Their political motives.

MR VALLY: The demarche was a political act.

DR KNOBEL: Exactly. But I'm talking about two scientists that I had a discussion with where we discussed the assessment of our programme.

MR VALLY: You know you have scientists General Knobel, and you have scientists and scientists working for government as part of a political delegation have got their own interests and are acting on instructions.

DR KNOBEL: Mr Vally, I think you're making an assumption here which may not be founded.

MR VALLY: Fair enough.

DR KNOBEL: Those two scientists are still very much involved in the international arena in terms of defining the lists of substances in terms of the Convention, they are very much involved in looking at inspections, at ratifications, at the schedules of the Convention, they are internationally respected scientists in the field of Chemical and Biological defence or Chemical and Biological Warfare.

CHAIRPERSON: I don't think we should really get into a ideological debate about what informs scientists. I mean, if the same demarche was when the previous government were persuading that government that it would be inopportune, to put it at its lowest, for that sort of technology to fall into the hands of what they considered to be a terrorist organisation. And when exactly that organisation is in power, they consider it expedient to advise them that that programme must be scrapped and must be destroyed. It doesn't really need a genius to determine that those people are not independent. I have never believed in any event that there are people who are totally independent, even scientists are not, they're informed by their own ...[indistinct] elections. But I don't think we should enter that debate. You've made your point and Mr Vally has made his point.

DR KNOBEL: Thank you Mr Chairman.

CHAIRPERSON: Mr Vally?

MR VALLY: My next item that I want to put to you is that when you were advised by Doctor Jan Lourens of the instruments which inject poison, which he says he had been instructed to make by Brigadier Basson who was your project officer for Project Coast which also involved the making of poisons. Your

response was that it wasn't your project, it wasn't under your project and therefore it wasn't a matter of your concern.

DR KNOBEL: No, I said more than that. I said I don't know about it and I don't want to know about it, that's what I said Mr Vally.

MR VALLY: Fair enough.

DR KNOBEL: I've already testified to that effect.

MR VALLY: What I'm putting to you is that that was an irresponsible position to take in view of the fact that you had facilities as Project Manger and that your Project Officer was involved in development of toxins and he, your Project Officer, Brigadier Basson, had in fact allegedly instructed Doctor Lourens to make those items.

DR KNOBEL: Mr Vally, what I understood from Mr Lourens or Doctor Lourens was that this had occurred at SRD in the years, '83, '84, '85. We did not have Roodeplaat Research Laboratories at that stage.

MR VALLY: Did you follow it up at all, did you do anything about it?

DR KNOBEL: I testified to that effect, that I confronted General Liebenberg without telling him that his name specifically was mentioned and that his response was that this the kind that the d'Oliviera Commission will be investigating.

MR VALLY: Well you've made a subsequent report to the NIA about various improprieties on the part of Doctor Basson. Did you ever raise this issue with them?

DR KNOBEL: It came up at a later stage certainly, but when I had the briefing from, not NIA, NIS at the time, with Minister Coetzee in February '94 and they indicated the allegations and indications that there were a very large number of such incidents, I was satisfied that they were aware of this and I also dealt with General Meiring and Mr Coetzee and the President in that regard.

MR VALLY: Did you ever raise it yourself with the NIS?

DR KNOBEL: I say again at a later stage I did not raise it at that time.

MR VALLY: By your own admission, the medical, chemical, technical aspects and implications of the programme that cost the country possibly millions and millions of rands were areas outside your expertise, yet you were the highest ranking medical professional in the military, ostensibly overseeing Brigadier Basson at the Co-ordinating Committee meetings.

DR KNOBEL: Are you posing a question Mr Vally?

MR VALLY: Yes.

DR KNOBEL: What is the question?

MR VALLY: Surely you should have realised that you were inadequately qualified to deal with these matters and be representing the military and making suggestions regarding these issues?

DR KNOBEL: Mr Vally, I don't quite understand your question. I am appointed as Surgeon General, I inherit a project which I must help co-ordinate with the Co-ordinating Management Committee. Are you saying to me that I should have gone to the Chief of the Defence Force or the Minister or the Cabinet, because my appointment was a Cabinet appointment, and say to them: "Listen, I am not in a position to carry out this task, please take this away from me", is that what you are suggesting to me? Are you suggesting that the man who runs a garage must also be a mechanic in order to be able to do it?

MR VALLY: I'm suggesting something very simple to you. I'm suggesting that you were not in the position to have advised the Co-ordinating Committee on developments in this area, Chemical and Biological Warfare, and you should have told them directly that: "We need an independent overseer or we need sufficient technical expertise to oversee this programme whilst I am Surgeon General and I have inherited this project, I cannot approve budgets running into millions and millions of rands, I cannot approve whether ...[intervention]

DR KNOBEL: I didn't approve the budgets, the Co-ordinating Management Committee approved the budgets.

MR VALLY: Yes, but regarding the technical side of it, who did they rely on?

DR KNOBEL: On Brigadier Basson and myself certainly.

MR VALLY: Even after improprieties were discovered, the ongoing usage of Brigadier Basson to the extent where all information was obtained from Brigadier Basson involving our technical and biological warfare capacity to onto discs, was irresponsible. By this stage you were aware there were major question marks regarding Brigadier Basson, not only financial improprieties but other activities of Brigadier Basson and that by not taking further action or making sure that you safeguarded yourself from abuse by Brigadier Basson, we are now in a situation where proliferation may have taken place or may potentially take place and whereby the money spent on development on this Chemical and Biological Warfare capacities may have been totally wasted because we are entirely reliant on the words of Brigadier Basson, who potentially is a discredited person. What do you see as your role in this, in retrospect, now that you are here, now that you have further information at your disposal?

DR KNOBEL: I will make remarks to this effect at the end of this hearing Mr Vally.

MR VALLY: Well, I am about to come to the end of my questioning of you. If you want to make any final comment please feel free to do so.

DR KNOBEL: Mr Vally, what I find very unfair is that you are trying to indicate that the final decision and the final management was in the hands of one person, that is not true. It was a Co-ordinating Management Committee under the chairmanship of the Chief of the Defence Force.

In terms of that management he had available to him the Chief of Staff Finance, the Chief of Staff Intelligence, the Chief of Staff Logistics, the Chief of the Army, the Commanding General of Special Forces, later on the Chief of the Airforce and when it was required, also the Chief of Staff Planning and the Chief of Staff and one of these incumbents was also General Steyn.

Now the Surgeon General was there from a point of view that the scientists that was control of the Project Officer and the Project Officer himself, the Project Officer was a member of the medical services and the management was then entrusted to my predecessor, the Surgeon General.

This project had run for eight years and it achieved all the objectives that it had set out to achieve. We spoke very little in this hearing about any of the achievements. I'm constantly reminded that it cost the State a lot of money and what have we got to show for it. You've not paid any attention to the defensive equipment that had been developed, to the detection apparatus, to the decontamination apparatus as well as the decontamination substance.

You've spent a lot of time saying how irresponsible it is to use CR. Some of the scientists have said CR remains in the area where you apply it, that's why the decontamination fluid was developed to ensure that that problem would not arise. You don't say any word about that. You indicate that you believe that these records that we have may contain nothing. I've indicated to you that I've recommended the government a number of times that we should access that information so that we can see how valuable it really is. And I've said to government that that's a national asset of strategic importance that we cannot destroy and we will not, at the behest of the Americans or the British, get rid of, it's too important for us.

You don't mention anything about the knowledge and the learning process that we had in advising the Department of Foreign Affairs or the Department of Trade and Industry with regard to the implications of the various Conventions,

with regard to the legislation of this country, with regard to inspections, with regard to declarations.

You don't pay any attention to the important role that South Africa now plays within these two conventions and the respect that they have been dealt with in the international arena where they are giving impetus to new developments in terms of these conventions. I'm not only referring to those two conventions, I'm referring to the Convention on Anti-personnel Mines. You think that all of those things just come out of the air. You don't pay any attention to the fact that one of the officers who served in the medical services is now sitting on the OPCW and playing a very important role there.

You don't pay any attention to the development of a 7th Medical Battalion Group which is a quick reaction group and which has saved lives in this country on a number of occasions because of the fact that they had developed in the way they had with parachuting and free falling and having special medical bags and the skills and the planning skills to do operations and to do the necessary planning for a disaster situation. All of that you think just happens. All of this developed at the same time when we were busy with this project.

In fact the whole 7th Medical Battalion Group has been so discredited that all those members have resigned and are now sitting either overseas or in some of these companies that you've been harping upon this morning. I think it's very unfair to now hamper or pay attention only to one aspect, mainly the irresponsibility.

I have admitted to this hearing on a number of occasions with the wisdom of hindsight I might have acted differently. But you don't give me any leeway in understanding how it works in the hierarchy of the Defence Force where the Surgeon General is part of the team and where he is under the command of the Chief of the Defence Force and where any type of action that you seem to expect me to have done, could have led to somebody simply saying: "We don't need you anymore, get out, we don't need you around". You've got to understand that but you're not understanding that.

I dare to ask you if in this Commission members of the Commission know exactly what is happening at the level of research and development of your own researchers. Are all those records made available, do they ...[indistinct]. I've heard your Chairman testifying in George that he didn't have the time to read the report that Mr Botha put in. I've heard from members of this Committee that they haven't had time to read the Cloud Report which was drawn up exactly with the purpose to inform you fully of all the circumstances that existed and to

inform government of all the existing circumstances so that you would have a total understanding of our programme.

I've given a briefing to Mr Mandela which you have and I've given the summary of the two transparencies that I've shown you, and in that is shown all the equipment that we had at that time, masks and filters and detection apparatus and decontamination and clothing etc., etc. You've heard testimony that that is being sought after by the countries that were involved in the gulf war, which gave a lot of credit to South Africa's position. What more can I say to you than what I've been testifying in the last few days? I've admitted that is I'd had the wisdom of hindsight I would have acted differently.

I made a briefing to the TRC on the medical services in totality earlier last year, in May last year, and in that briefing I said that I was not aware of any activity within the medical service as an organisation which in any way I need to be ashamed about in terms of their ethics and their moral standards and the service that they had delivered.

I've drawn up a code of conduct for that service of which I'm extremely proud and I said so here in public. What I also said was that I regretted the fact that the type of hearing that took place led to a discreditation of the entire organisation and to a loss of manpower and loss of expertise which we will never ever be able to replace.

You've made mention of the fact that we may have potentially proliferated. I'm saying much of what has come out of this hearing has contributed to proliferation and will undoubtedly contribute to our international relations being jeopardised and I've said so to Mr Mbeki last week and he agreed with me. I just want to say this ...[intervention]

CHAIRPERSON: Possibly he will have come and testify here if he says that because you know he was very well represented here by lawyers who haven't really projected that image to us. If anything the lawyers who represented Mbeki and his government have given us an indication that that office is very pleased about the way in which we have handled these hearings. We don't regret having taken the decision that we took.

And quite frankly General Knobel, you know the more I hear you speak the more I distressed I personally become because you, inasmuch as you seem to say we do not appreciate the good things that the project was all about, it seems to me you do not appreciate what the Commission is about.

The Commission was not set to discover how good South African was in the past, it has a specific mandate to examine amongst other things but more

particularly perpetration of gross violations of human rights in the context of looking at the motives and perspectives, the antecedents, the context, but with a clear mandate to look at violations of human rights.

It may well be that the CBW programme, and at this stage I'm not even making a decision because the panel has got to do that, but it may well be that it did all the good things that it did and I don't think there is anyone here who is going to gainsay that but the fact of the matter is that your scientists came and sat here and testified about the other things that they did which you yourself are admitting ought not to have been done and that is unfortunately what we are here about. We are not here to say because 90% or even 99% of the work that was done by the CBW programme was advancing the interest of science and technology in this country, then we should ignore the 1%, we would fail in our duty.

It is not about whether or not the percentages were 80/20, 70/30, 99 to 1%, it is about the fact that if all this evidence points to us being satisfied that things that have been testified about here are in fact capable of being concluded to have happened, it is about whether or not any decent society should have had those aspects of technology being used in the advancement of those objectives.

If we come to the conclusion at the end that even though 80% of the work that was done by that programme was good, was well intentioned, advanced in the ways in which you have said, it advanced the image of this country, we will not because the 20% of it is making us a prier in the world of today, we should not refrain from making those conclusions.

So it really is not about whether or not, it's the same thing we hear now and every day: apartheid was not so bad, we produced the best schools, Stellenbosch, Pretoria, we produced professors in all fields of human endeavour. Yes, that is true but again we produced the worst of schools, we produced the worst of universities some people were denied by virtue of that same ideology of becoming the best that society could have produced.

So please, let us, especially if that is your contribution to what the question to you, it is certainly not a contribution. You are being asked about a specific aspect, what do you consider your contribution or lack thereof to have been in that part of that CBW programme which to us appears to have been obnoxious in the extreme, to have been intended for purposes for which that programme had not been set.

Don't tell us about the good thing, we all know them, we accept them. Take it for granted that we accept and we laud them for what they were but what

is your responsibility when once you discover that there was such a horrifying programme that that man was at the head of. What is your contribution? Do you feel remorseful about not having acted and acted strongly enough in order to counter what he was doing? In fact, did it ever strike you that you may have had to apply for amnesty for your role in being part and parcel of that machinery? If you feel that you didn't have to apply for amnesty, that you have nothing to be apologetic about then say so but don't please let us weigh in terms of which was more advancing the interest of this country and which not because we are going to forecast on that which should not have happened. If the evidence that we have heard here is to be believed, and we will weight that, and we come to a conclusion that it is credible evidence, that which should not have happened will be considered in that light.

DR KNOBEL: Mr Chairman, may I reply to that?

CHAIRPERSON: You can, in fact you should.

DR KNOBEL: I was still giving an exposition of how I felt I should reply to that question and I referred at the beginning to the fact that I'd given a voluntary briefing here at the TRC on the medical service as a whole. I just want to state very clearly that when this inquiry started I co-operated fully because I believe in the process of truth and reconciliation.

CHAIRPERSON: We accept all of that General.

DR KNOBEL: Yes, but let me just please come to this point. When I finished by briefing, May last years, I said the following and I'm reading from the statement that I made:

"If however there is evidence that any professional member of this organisation has acted outside the directives according to the mandate role and functions as discussed or acted in an unethical ...[intervention]

CHAIRPERSON: General, just on that, do you as you sit there now, do you accept - I'm asking you now, do you accept that in fact the evidence that we have heard here does suggest exactly what you are saying?

DR KNOBEL: Yes, I've testified to that.

CHAIRPERSON: So why are you conditioning it now? We are asking you, not at the time that you wrote that memorandum, not at the time that you wrote that affidavit, we are asking you at the end of the testimonies that we have heard.

DR KNOBEL: I'm coming to that Mr Chairman. I would just like to say what I said then and what I add now. Do you want me to continue?

CHAIRPERSON: Yes, yes.

DR KNOBEL: I said that:

"If there's any unethical or unprofessional action according to the guidelines of the various statutory councils with whom they are registered then I would like to apologise on behalf of the organisation to any member of the South African community that may have been adversely affected by such actions"

I also at that time as Surgeon General said I would take with my command council, whatever steps are deemed necessary to investigate and bring to justice such actions.

I now want to say with the wisdom that I've obtained during this hearing that I am like you, horrified with the possibility that those sort of actions could have taken place. I am very disturbed by it and I absolutely agree that one should do everything in your power to prevent this sort of thing from happening again. And I want to assure you that my support to the following investigations of the Attorney General as well as of OSEO will continue, to bring whatever injustices have been carried out or criminal deeds have been carried out to justice.

CHAIRPERSON: Thank you Doctor Knobel.

Mr Vally, do you still need to call ...[intervention]

MR VALLY: No, thank you Mr Chair, I'm through.

Thank you General Knobel.

CHAIRPERSON: Are there any questions from the panel to General Knobel? Doctor Randera? Advocate Potgieter?

DR RANDERA: ...[inaudible] you've taken a great already but I think for the record I just want the General's comments on two specific areas. One is the question that arose yesterday from Doctor Mijburgh in terms of the production of these million capsules with whatever was in it. Now as head of the South African Medical Services, was that a method that was used by the medical services to buy drugs from private companies?

DR KNOBEL: No, it was not.

DR RANDERA: Have you ever known of that, has that ever happened in the time that you were the head, the Surgeon General of SAMS?

DR KNOBEL: No, Sir, your question was very relevant. There was no, to my knowledge there was never any authority given for the production of capsules of whatever nature. The medical service had a depot and a number of sub depots and has an account which at that time was known as the: Current Account for Pharmaceutical Products. We dealt with about 40 pharmaceutical companies, recognised pharmaceutical companies in the country who supplied us with all the necessary pharmaceutical needs that we had.

The Surgeon General had a certain responsibility in terms having on the shelves supplies that would last this country for a minimum period of three months or in some cases six months, of certain pharmaceutical products, particularly those that deal with malaria or those diseases that tend to come in epidemic natures and obviously with the possibility of being isolated in terms of its pharmaceutical needs, the Surgeon General had that kind of responsibility. So the answer to your questions is, yes, we would never have placed such an order, there was need for such an order.

DR RANDERA: Again for the record, we've moved on a great deal from the time that it was brought to our notice, and that's the issue of the experimentation that was done with regard to fertility control in South Africa, at Roodeplaat.

DR KNOBEL: Yes.

DR RANDERA: Now at the time, and let me say that the report that we had here was 1989, so it was after you became Surgeon General that those experiments were being done. Were you aware of these experiments, was it ever brought to your notice at the committee level? And again, did you ever question what that had to do with Chemical and Biological Warfare?

DR KNOBEL: Yes. Let me say this first of all to give you a background Doctor Randera. The Surgeon General represents the Defence Force or at that time, on an inter departmental committee on population development. General Niewoudt was on that Committee and when I became Surgeon General I was also appointed in that capacity as a representative of the Department of Defence, in fact in representing the Minister on that Committee.

On that Committee the whole question of the population explosion was constantly being discussed and the water supplies of the country and the infrastructure that had to carry this population. Things like the illegal immigrants coming into the country and the very large population that had to be carried by the resources of this country.

As was testified here by Doctor van Rensburg if I remember rightly and I read it, he indicated that the World Health Organisation had indicated that there would be a use for a vaccine that could have an effect on population development. So to come to your question - I see you're getting agitated, I was informed when I became Surgeon General, that my predecessor had approved that a commercial project could be carried out at Roodeplaat and I have indicated to you that commercial ventures were allowed, that they could study fertility and they could study the possibility of developing a male contraceptive

pill as well as a vaccine. And that that was done, the information I had does not concur with what was testified here, the information was that this could be done for the People's Republic of China in exchange for technology that would be made available ...[indistinct]. That's the information I had and I accepted that.

DR RANDERA: General, my last question is really for you to make a comment. Since this started I've been thinking about the role of scientists in the society that we've come from and where we are at the present time and part of my consideration has been to think, is it just a few mavericks that were involved in the sort of experimentation that we've been exposed to, or were they just the extreme of a spectrum. And you are a scientist yourself, not in the sense of a Brigadier Basson or Immelman, you were an anatomist, Professor of Anatomy before you joined the Medical Services, joined the Army. I suppose I'd like you to comment: 1. On this issue of scientists in the past and how they became involved, because we're trying to understand institutes as well. More specifically I want to understand your own, because I think the Chairperson said earlier on: "What responsibility are you taking yourself", your own thinking and your own psyche at the time in becoming not only involved in the Defence Force, and I take, I mean I heard you very clearly when you spoke at the Medical Hearings on the pride that you take on what was achieved by SAMS, but nonetheless we were involved in a conflict in this country, you were part of that conflict, pre 1994 and so I'm trying to understand your own role and your own thinking. You made a conscious decision to move from a position of academia into the military services and then became part of the structures of those military services, including the Chemical and Biological Warfare programme that we've heard about.

DR KNOBEL: Doctor Randera, in my briefing to the TRC on the programme I went out of my way to try and clarify my initial position and why I became involved with the medical service in general. I can sum it up by saying that I initially did not want to join the permanent force because I was quite happy in the academic environment and I was making a contribution in the citizen force.

However, my predecessor had been battling to separate the medical service from the army and the airforce and the navy and creating a separate arm of service which is unique in the world. Today there are quite a number of countries that have followed suite but at that time it was totally unique. He inspired me with a missionary zeal to help him to establish that and the emphasis at the time was to create for ourselves our own image, our own ethic,

our own code of conduct, our own uniform, our own budget, our own command and control system.

All of that had been achieved, but one of the issues that was very strongly conveyed to me, that as an academic I had to bring in the academic approach to elevate what was basic military training, with military emphasis, with military requirements and with typical military disciplinary code as being the guiding line. I had to bring into it the professional code, the code of conduct of the various professional statutory bodies and to write a code of conduct for this which was a unique situation, a professional person in uniform.

That process took at least 15 years. And that is really the process that I tried to convey to the TRC at my last briefing, which I was very proud of. Every profession, there are 27 statutory professions in the medical service, every profession has had designed for themselves a caduceus which they wear to comply with the requirements of the International Red Cross recommendations in terms of the Geneva Conventions.

Every bit of conduct within the military environment in uniform, but in the uniform of the medical service, is designed to comply with the Geneva Conventions with relation to the conduct of medical personnel.

Having listed to this hearing, having heard what we've heard with regards to what I intend to submit to you are mavericks in the organisation, has horrified me and I'm very distressed by it and I'm absolutely in total agreement that whatever comes out of this hearing, one of the things that should come out of it is how do you prevent this sort of thing happening again, without losing what has been established on the positive side. I would feel very, very, distressed if we lose what is on the positive side because of what is emerging on a negative scale. That I would like to make a contribution to prevent from happening.

I will say this, and I've heard testimony by a number of the other witnesses, as far as the ethics and the morals are concerned I can see no difficulty with the Surgeon General been given the responsibility of being involved or even co-ordinating a project which will ensure that the medical personnel act within international conventions and accepted international conduct.

We've had discussions here about whether CR, is it right to develop something like CR. You've heard the answers, people have said it's much better to use something that will either incapacitate or subdue a crowd rather than shooting them. I feel the same way. I feel the same way about the carrying of

weapons. It is true that the medical service carried weapons but strictly according to the conditions as set out in the Geneva Convention, to protect themselves and to protect their patients.

The Geneva Convention states very clearly: if there is an international conflict and a declaration of war, those conventions apply fully but they also recognise that there are other conflict situations which is not an open declaration of war and where circumstances prevail where the position of the medical personnel is different.

I've considered all of that and I have constantly been measuring the medical service against that, particularly in our situation and what we used to call: "the bush war" and within the internal environment.

I'm distressed with you about the possibilities that have come out here about the indications, I've admitted to that. I think the biggest dilemma and I've said that before this morning, the biggest dilemma is that we have found ourselves in a position where we only had one person with the very wide powers of self decision making, freedom of movement and the only person who had all the skills and knowledge of this very, very complex programme. We've lost the other few that we had and we've nobody to replace him. That is a fact, we have no-one to replace him.

CHAIRPERSON: Advocate Potgieter?

ADV POTGIETER: Thank you Chairperson.

Doctor Knobel, just on the same vein of the parameters of this project that Doctor Randera has touched upon and the concern that we've expressed about abuse and perhaps touching upon your concern that the evil will live after the project, as Shakespeare reminds us. You see the stuff that seemed to have been produced in very large quantities, staggering quantities to my mind in some respects, are the drugs, the common drugs. Let's take methaqualone, 1000 kilograms, just to think of one. I'm quite sure there's some other examples in this documentation. Ecstasy, so-called MDMA or whatever the technical name was that was ...[indistinct] about here for the substance. Have you ever had any doubt in your mind at any stage, even during these hearings, that this aspect, the drug aspect to this thing had nothing to do with this project and that was potentially ways in which this could have been absurd for whatever purpose?

DR KNOBEL: No, certainly after hearing I'm sharing your concern about that. At the time I was satisfied with the destruction of those substances, that we had in fact destroyed them. And we discussed it at length yesterday, I can't remember if you were here then.

ADV POTGIETER: Probably not.

DR KNOBEL: But we discussed at length the way in which the certification took place and so on. And certainly I suggested yesterday that maybe we should get more confirmation from the officer of Counter Intelligence who was involved and so on, and even other members who were there, airforce people. However you are right, I am concerned about that today.

I must however say that I also share the view of Lieutenant General Neethling when he said that the tablets that we were talking about, I think it was 200 000 tablets, that really is not all that many tablets. What I am concerned about is if a thousand kilograms of substance were then converted into tablets, that would be a major problem. I'm not sure if we have proved that Advocate Potgieter. We've indicated that there is such a possibility and I'm gravely concerned about it, that I would admit.

ADV POTGIETER: And that one is left with some serious doubt whether there is any credence that one can attach to the point that was purportedly made here, that those things could have been used for crowd control purposes.

DR KNOBEL: No, I'm afraid there we have to disagree Advocate Potgieter, because the fact of the matter is that I think General Viljoen has said something like that recently as well in the press, the intention was to have dual use capabilities. We all knew that at some or other point there was going to be a new Convention and we would have to rethink the position of retaliation. We all knew that, we said that, we advised government in that regard.

You know today we are sitting with a very large quantity of CR both weaponised and non-weaponised and it is being maintained at the instruction ...[intervention]

ADV POTGIETER: I can agree with that but I'm focusing entirely on methaqualone for example, cannabis as a, I'm just talking about that aspect. I can understand that CR is the sort of a thing that we know but cannabis and methaqualone, I mean it's not in the common mind as a crowd control measure. We know it as a substance of terrible abuse out there.

DR KNOBEL: No, I agree with you it's not in the public mind and maybe not even in my mind but I was concerned about this when I spoke, I said this morning that I had spoken to Don Marley and Graham Pearson who are world experts and I agree with what the Chairman says. I was the one who said to the President: "You cannot trust the finding of these two demarches", because it was really one demarche but two different governments that they were dealing

with. I agree fully with what the Chairman says there and I advised government accordingly.

At the level that I discussed it with the two scientists, and I had them separately in my room, the two of them together separate from the rest of the team, the intelligence people were not there and the Ambassador and the High Commissioner were not there, and then we had a different kind of discussion and I asked them: "Are you satisfied with the programme that we had and does it make sense"? And they both indicated that they were totally satisfied and that it was a very sophisticated programme. I said so yesterday to Professor Folb, because it was a point that also concerns me, that's why I'm discussing it with him. That's why I'm saying, the use of those substances as potential incapacitating agents is recognised and it's accepted, maybe not by the public or you and I, I agree, but certainly internationally.

We have the evidence of General Neethling that they in America even look at LSD as a possibly incapacitating agent.

ADV POTGIETER: Yes, well thank you, there's a lot of food for thought here, thank you.

DR KNOBEL: Thank you Sir.

CHAIRPERSON: We've reached a stage where we should take the lunch adjournment and it is clear that for the right of reasons we are not able to stop here and now because I believe that is a right that is inherent to Doctor Knobel's legal representatives to put certain things in perspective by way of re-examination. We should then take the lunch adjournment.

MR DU PLESSIS: Mr Chairperson, sorry to interrupt. There will be no re-examination.

CHAIRPERSON: No re-examination.

MR DU PLESSIS: I don't know if that helps the Committee.

CHAIRPERSON: Well I don't know, we then have Mr Kennedy's affidavit which we all have had sight of, I don't know whether in your view it raises issues in relation to which you would like to respond. You can take a quick consultation on that question.

MR VALLY: We will put it on record, so the affidavit will be part of the record of this hearing.

DR KNOBEL: Mr Chairman, clearly I would have liked to have had that read into the record.

CHAIRPERSON: It will be read into the record.

DR KNOBEL: Yes, but I mean in public. But under the circumstances I will accept your ruling in this regard and we don't have to read it in public.

MR VALLY: Maybe as a compromise, because General Knobel doesn't seem to be happy, which particular paragraphs are of relevance to him that he wants to be read in public because there hasn't been a ruling by the Chairperson as such but it is part of our record. Also we will release it to the press.

DR KNOBEL: In that case I think we can leave it Mr Chairman, and I'm happy, thank you.

CHAIRPERSON: Now can I understand where are we?

MR VALLY: We are through.

CHAIRPERSON: Well that's it. It appears to be the conclusion of these proceedings. Much of what I would have said at the conclusion of everything has already been said in my intervention when Doctor Knobel was saying his piece when in fact he was entitled to say what he wanted to say.

Ladies and gentlemen, we have come to the end of these proceedings and I think we need to thank everybody who has been party to these proceedings. It has not been the easiest of proceedings to deal with because of all the sensitivities that attach to dealing as candidly and as openly with a project of this nature but still infusing into that process a responsibility that should make sure that we comply with the duty to inform the public without in a sense throwing out the child with the bath water.

I'm concerned that it is the view of General Doctor Knobel that those in authority might feel that we have not handled these proceedings in a manner that would obviate proliferation but I would hope that after all is said and done even government will feel that we have tried as much as possible to handle what is really a sensitive programme with care and with sensitivity.

There are particularly people who I would like to mention even if it is in their absence. Professor Peter Folb made himself available as a consultant to the TRC at no cost, voluntarily, and that is something that I needs to go into the record as an indication of the preparedness by a number of people to be as helpful to the process as possible. His expertise has been very helpful to our investigators and it is a matter of gratification to also understand and know that his expertise is acknowledged by his peers in the form of amongst others, General Knobel who himself is an expert in his own field. We have to thank Professor Folb in his absence and would hope that these remarks will find their way to him as an indication of our appreciation for his services.

We must also thank particularly the legal representatives of everyone. We have been engaged in mini battles in the process of these proceedings with some or most of them but it has all been in the spirit of trying to do that which lawyers know best, representing the interest of their clients in the best tradition of their profession. We would hope that altercations that have taken place in the process of trying to get to the end of these proceedings and revealing the truth will be taken in the spirit in which they were all engaged in.

We have had to deal with the proceedings on the basis that pending the outcome of the High Court application we will not take in the period allotted to us, in other words today and yesterday, the evidence of Doctor Wouter Basson. So as far as taking that evidence is concerned it is suspended only to the extent that we will await the outcome of the Court process.

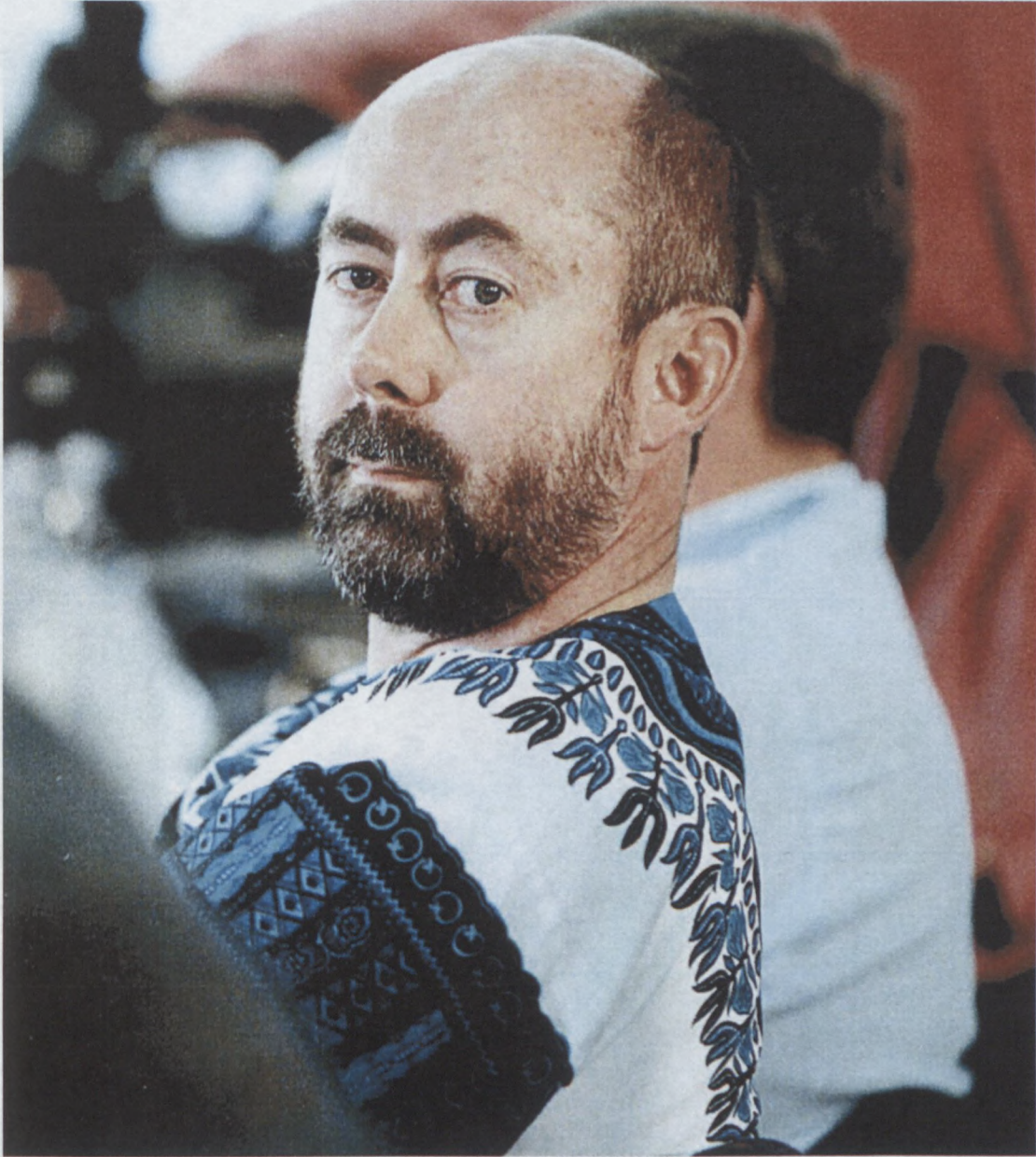
Speaking for the panel, we are of the view that it is not only in our interest and the interest of society and certainly the interest of the Commission but in the interest of Doctor Wouter Basson himself that his perspective and his testimony should be received. I know this is a forlorn cry but to the extent that I can persuade from a moral point of view, his lawyers and knowing as I do that colleagues do not give instructions to their clients, they take instructions from their clients but if it is possible and it is within them to persuade him to come and testify, we would ask them to persuade him in the way in which they persuaded Doctor Mijburgh, that it may be in his interest to come and testify and that at the end of the day there is nothing to fear in giving a perspective, especially if that perspective is the truth.

So we will not take the evidence of Doctor Wouter Basson at this stage but I want to place it on the record that we have not abandoned efforts to take that evidence, and the only intervening circumstance between us and that event is the fact that there is an application which seeks to stop us from taking that evidence. Of course he can override that by voluntarily deciding at last that he wants to come before us, not only to state his own perspective but also in a large measure to clear his name in those respects where he may unfairly have been prejudiced by either the manner of testimony or some of the things that were said.

Subject therefore to the recall of Doctor Wouter Basson, these proceedings are adjourned **sine die**.

HEARING ADJOURNS

WOUTER



Wouter Basson

Foto: Die Burger

BYLAAG D

Transkripsie van dr. Wouter Basson se getuienis op die
Waarheids-en-versoeningskommissie se sitting oor
chemiese en biologiese oorlogvoering in Kaapstad

CHAIRPERSON: Very well. Mr Vally?

MR VALLY: Well, we now call Dr Wouter Basson to the stand.

CHAIRPERSON: There was a question about how old he was, I don't know whether you're going to pursue that question.

MR VALLY: I will... (intervention).

DR BASSON: That is my secret.

MR VALLY: I repeat my question, Dr Basson, how old are you?

DR BASSON: I am 48 years old.

MR VALLY: What are your academic qualifications?

DR BASSON: I have the MbChb. I obtained that in 1973. I have a Master's Degree in Physiology and Biochemistry in 1978. I obtained M.Med. in 1980.

MR VALLY: And when did you join the South African Defence Force?

DR BASSON: In January 1975 I joined the Defence Force.

MR VALLY: So I assume at the time that you were studying medicine, you did a year internship after qualifying?

DR BASSON: That is correct.

MR VALLY: Did you do your internship in the Defence Force?

DR BASSON: No.

MR VALLY: So, if you joined the Defence Force in 1975, immediately after completing your medical studies and your internship for a year, you went straight into the army?

DR BASSON: That is correct, I did not join the army, I went into the Medical Corps.

MR VALLY: Well let's find out about that. When you say you went into the Medical Corps, was this Medical Corps a unit in the South African Defence Force?

DR BASSON: At that stage the South African Medical Service were subdivisions of the army and the air force and the navy. At a later stage during my career, the South African Medical Corps became an independent part of the army.

MR VALLY: I understand that, my question is very simple, were you a member of the army?

DR BASSON: I was never a member of the South African Defence Force.

MR VALLY: You never had a rank with the Defence Force?

DR BASSON: Repeat the question?

MR CILLIERS: With the greatest of respect, my learned friend is in a dilemma, he does not understand the previous answer. There's a big difference between

the South African army and the South African Defence Force. With respect, with the little time you have, you wasted it, with the greatest of respect, with irrelevant facts. My learned friend should understand that the Defence Force is the encompassing body... (intervention).

MR VALLY: Mr Chair, this is a wasting of time, I know exactly what I am asking. If Mr Cilliers was going to interrupt for every minute, he must indicate that he's going to waste our time. I think that when we get down to the... (intervention).

CHAIRPERSON: Gentlemen, gentlemen, hokaai, please, please, I take your point, Mr Cilliers. Can you put your questions again, Mr Vally?

MR VALLY: Did you join the South African Defence Force in 1975?

DR BASSON: That is correct, yes.

MR VALLY: What rank did you have when you joined?

DR BASSON: I joined with the rank of lieutenant.

MR VALLY: Tell us, from 1975, after lieutenant, your various promotions?

DR BASSON: I can't remember the exact dates, I can give you more or less certain periods. As far as I can remember, in 1977 I became a captain. If I can remember correctly, in 1980 I was promoted to a major. Shortly after that, I can't remember precisely, I was promoted to a commander. In 1985, I was a temporary colonel, and in 1986 the rank of colonel was confirmed as a substantive rank and at the beginning of '88, I was promoted to a substantive brigadier. Regarding the structure of these ranks, because there's a distinction in the Medical Corps between these various ranks... (intervention).

MR VALLY: Dr Basson, that's fine, that's fine. So between '75, from 1975 when you joined the army as a lieutenant, in 1988 you were made brigadier?

DR BASSON: I did not join the South African Defence Force... (intervention).

MR VALLY: The South African Defence Force, I beg your pardon.

DR BASSON: ...it is very important for me.

MR VALLY: That's fine, that's fine. When you were a member of the South African Defence Force.. (intervention).

DR BASSON: Can you please repeat the question.

MR VALLY: ...from January '75 you're lieutenant, in 1988 you were promoted to brigadier?

DR BASSON: That is correct, yes.

MR VALLY: So in a space of 13 years you had a meteoric rise within the South African Defence Force?

DR BASSON: I can't comment about the meteoric rise, it had to do with qualifications achieved, it had to do with professional status, it had to do with exposure to experience, there were various factors taking into consideration during this process. It could have been that there was nobody else available, it could have been that I was promoted because there was no competition.

MR VALLY: In the situation of a person who was a member of the Defence Force, no matter what their qualifications or the availability of posts, etcetera, to rise from lieutenant in '75 to brigadier in '88 was unusual?

DR BASSON: I am not a qualified staff member of the Defence Force, I have no knowledge whether it was extraordinary or whether it was abnormal, I can't comment on that.

MR VALLY: Well I put to you that it was.

MR CILLIERS: Do you know of anybody else who had that distinction?

DR BASSON: There are few such instances I can remember in my own environment.

MR VALLY: When were you Mr P W Botha's doctor?

DR BASSON: I was never Mr P W Botha's doctor. Sometimes, where there were certain movements or certain meetings with the State President, as part of my ordinary medical duties in the Defence Force, I saw to it that he had the certain medical support. Sometimes there were not other doctors and I had to accompany Mr Botha and the people who were with him to wherever the meetings, or whoever took place.

MR VALLY: Dr Basson, when did you first accompany Dr Botha in your capacity as a medical doctor?

DR BASSON: I can't remember the exact date, but it was during one of his visits to the Border, late in the 1970's.

MR VALLY: So from the 1970's already, in your capacity as a member of the Defence Force and as a medical doctor, you have accompanied him in that capacity to the defence areas, late '70's?

DR BASSON: Me and about 20 other doctors.

MR VALLY: And I'm talking about your personal responsibility as a medical doctor looking after his health?

DR BASSON: It was never my personal responsibility to look after his health, I repeat, once again....(intervention)

MR VALLY: Sir, let me - I heard your answer the first time.

MR CILLIERS: With respect, if the question is asked, the witness must have a chance to answer the question.

MR VALLY: I want to put it clear from the beginning that Dr Basson is behaving in a manner which is extremely frustrating, he is doing it purposely and he's dragging out questions. By virtue of the fact that they dragged this matter out from Wednesday to today, I will have to, from time to time cut his irrelevant comments out and cut him short. The situation is not of my making, the situation is of Dr Basson's making, and I really would suggest that the attitude that he has in terms of trying to unnecessarily draw out answers, when he tells me, "I'll repeat my answer", and I say, "That is fine, I've heard it the first time", he must hear me. Thank you, Mr Chair.

MR CILLIERS: With all respect, there is no basis for those allegations of Mr Vally that Dr Basson is deliberately trying to prolong things. Surely you yourself would intervene if you received that impression, and with the greatest respect that statement of Mr Vally's is unfounded and I ask him to draw it back.

CHAIRPERSON: Carry on, Mr Vally.

MR VALLY: How did it come about that you, as a cardiologist, and I believe you are a cardiologist, took over responsibility for the health care of Mr P W Botha once he got a stroke?

DR BASSON: I never took the responsibility over for Mr Botha's health after he had a stroke, I was in Cape Town at that time busy with other issues when he had his stroke, and because I'm a qualified doctor and I had several years of experience, I was asked to speak to Mr Botha and to consult with him. I saw him at the hospital. It was my opinion that he had a very severe stroke and at that stage he was not fit to continue with his duties as State President of this country if there was not a real change brought about, and afterwards I was told by phone by the local commandant about a half an hour later after I've given this information to his private secretary and they told me that they no longer needed my services and from that moment onwards I had no longer contact with Mr Botha with regards to his health or any other issues.

MR VALLY: Dr Basson, can you tell us how your involvement in the chemical and biological and warfare programme came about?

DR BASSON: After I was qualified as a physician in 1980, I returned to the academic side of the hospital where I worked and only months afterwards, the times I cannot remember them very well, but I was approached by the then Mr Nieuwoudt and he asked me if I'll be of assistance in a programme according to which the South African Defence Force would be supplied with a defensive capability with regards to chemical and biological warfare. General Nieuwoudt at that stage, together with the then head of staff information of the Defence

Force and of the Operational Services, gave me information where the threat, as they saw it at that time, against South Africa was set out. I was then requested to act as project leader to bring this programme into life, and after consideration and thinking about how it would affect my medical career, I decided that in the interests of South African Security Forces, and also in the interests of the South African public in general, it was important for South Africa to have such a defensive capability.

MR VALLY: Dr Basson, that's fine. So, you were approached by the then surgeon-general and you thought your patriotic duty to the then apartheid government was such that you had to protect the people of South Africa. I need to ask you... (intervention).

DR BASSON: Can I comment on that?

MR VALLY: No, no, no, no, I haven't asked my question yet please. Thank you. You're a medical doctor, you're a physician, what was your expertise in chemical and biological warfare, why were you chosen?

DR BASSON: My patriotic duty at that stage was not directed towards the apartheid government in this country, my duty was to the people in this country. I had no specific qualifications at that stage to become involved or to know something of chemical, biological warfare. There was no person in the South African Defence Force available who knew something of this, so I had to assume that they chose me because of the fact that I was the most appropriate person in that environment.

MR VALLY: Fine. So did you... (intervention).

MR POTGIETER: Sorry, Dr Basson appropriate in what way? I mean we've understood that you had a Masters in physiology and chemistry, and that you had an MD in medicine, so what was the appropriateness in terms of a chemical and biological warfare potential? Did they just see you as a potential candidate, or did you have some specific knowledge already at that particular moment?

DR BASSON: I had no knowledge at that particular moment. I think my potential lied in the fact that I was a trained medical scientist, and at that stage I was also a trained soldier. So the only real potential, if you look at the new labour law, the only potential I had for that task was, I had no qualifications which made me capable of doing it, but the potential lied in the fact I had the background to understand the military science, as well as the medical science, and I could combine them, and to combine them tactically.

CHAIRPERSON: You wouldn't have called it an affirmative action appointment insofar as you were Afrikaner and also qualified?

DR BASSON: I think that's affirmative, because I was available, yes.

CHAIRPERSON: Mr Vally?

MR VALLY: Early on, after you took on this undertaking without any formal qualifications for it, because of your patriotic duty, you were sent to Taiwan and the United States to look at their programmes?

DR BASSON: Amongst others, yes.

MR VALLY: Where else did you go?

DR BASSON: At this stage, it's difficult for me to answer questions with regards to my visits abroad. If you insist that I give you full disclosure about this, I would have to apply that this happens in camera, so I'll rather talk about the visits to China and America.

MR VALLY: I don't see, clearly you're more of a lawyer than you think you were yesterday and the day before, but let's talk about America and China, I'm talking about TRC1 and TRC2, your attorney should have it. TRC1, are those notes in your handwriting?

DR BASSON: That is correct.

MR VALLY: That's a report on the 9th of May 1981?

DR BASSON: That is correct.

MR VALLY: And you went to a congress in San Antonio with various mostly personnel from America, Germany, Japan, Canada and the United Kingdom, is that correct?

DR BASSON: That is correct.

MR VALLY: Now what is amazing about this document in your own handwriting, and if you want me to go through it, I will, but you seem to have got some senior American officials to open up to you to an amazing extent, whereby they told you what their chemical warfare potential was, what kind of facilities they had, an incredible amount of detail. How did you achieve this in such a short period?

DR BASSON: I asked them.

MR VALLY: And they just spilled the beans?

DR BASSON: That is correct.

MR VALLY: As a military person, or as a South African Defence Force person, wasn't security very lax on their part?

DR BASSON: I cannot comment on the Americans and their level of security. What I can tell you is that in all the information-gathering attempts, I always

took a direct approach, I did not waste time, if I wanted to ask someone something and they answered me, I continued with that. It was my experience at that stage, it's like if you want an answer, ask the person directly, and in this way I received very direct answers from a lot of people. What their motives were, I do not know.

MR VALLY: So you would just go and say, "What is your potential for defending yourselves against chemical and biological warfare?" and they would tell you everything?

DR BASSON: Chairperson, we're talking about 1981. I just, I told this person just now it was my general approach, I went to the people and I said, "What's the situation?", in general discussions, at parties, wherever.

CHAIRPERSON: Well I think, Dr Basson, possibly, I don't know where he's getting to and I would be keen to see where he's getting to, but he might possibly be wanting to know what was it that you had that persuaded people to be so very keen to divulge what amounts to State secrets to you, did you bribe them, did you have an ability which ordinary people do not have, in order for them to be so very easy?

DR BASSON: I accept you'd not accept a pretty face as an answer. I had no specific abilities in 1981, I had no capability of bribing anybody... (intervention).

CHAIRPERSON: That's not the question I'm asking, I'm just saying, you know, that possibly is why he's trying to get you to say, why was it easy for you?

DR BASSON: I'm just stopping all the fears here. I never bribed anyone. What I have experienced at that stage, and this is all over the world, in Europe and also in America and in the UK, was a very great concern about the capabilities of the East Bloc countries on the level of chemical biological warfare.

MR VALLY: Fine, let's stop there, let's just stop there please, Brigadier Basson... (intervention).

DR BASSON: Chairperson, I want to give you the answer please.

MR VALLY: No, there was no question, Mr Chair. I don't know what his... (intervention).

DR BASSON: You asked how I did it, you asked how I did it, I'm telling you how I did it.

MR VALLY: Dr Basson, I am asking the questions.

MR CILLIERS: With respect, the witness is answering the questions. You've asked him a follow-up question and it's obviously very relevant to all of this.

CHAIRPERSON: Okay, Mr Vally, can he finish up that aspect?

DR BASSON: At that stage, I detected a great concern all over the world with regards to the chemical and biological warfare capabilities of the East Bloc countries. At that stage in South Africa, we were confronted with evident information that the Russians and the Cubans and the East Germans in the neighbouring states, they had definite chemical warfare capabilities in the neighbouring countries and the western possibilities at that stage was really interested in this capability of theirs, and it is so that they often asked me to convey information to them with regards to the information we gathered in the neighbouring states, neighbouring countries, and it is so that this information was exchanged with me I think on the basis of the fact that they also wanted the information, and that's why I had good access to senior government officials and people at that time.

MR VALLY: By virtue of your long answers, let me give you a composite question, TRC2 deals with the visit to Taiwan and by virtue of your answer, co-operation between the South African Defence Force and what you call the western countries was very good in the area of chemical and biological warfare, is that what you're saying?

DR BASSON: That is correct, yes.

MR VALLY: Now, we want to hear about project coast. When were you appointed project officer for project coast?

DR BASSON: If I remember correctly, it was around about '81, I can't give you the exact date, but project coast was formalised round about 1981, but project coast actually came into life after the senior command structure of the Defence Force gave me about a year's chance or time to experience something with regards to chemical and biological warfare and to investigate it and to come forward to search and suggestions. These suggestions were information I conveyed to the command, the instructions of the Defence Force, and then project coast was brought into life.

MR VALLY: Until the project coast, 1981, you were the project officer, what were the reporting structures?

DR BASSON: I'm not sure, I'm not certain that coast already existed in 1981, I've got a suspicion it only got structured in '82, but to answer your question, it was so that project coast fell under the charge of the chairpersonship of the head of the Defence Force at that time, and they had a committee which was called the controlling committee, and this committee existed out of several army officials.

MR VALLY: Sorry, when you say controlling committee, do you mean co-ordinating committee? I'm sorry, the (indistinct) came through incorrectly. Carry on please?

DR BASSON: The co-ordinating controlling committee. The co-ordinating controlling committee had sub-committees, as it is in the case with projects in the Defence Force, it was about giving work to different people and there are several committees which was put there, there was a work group, security work group, who made sure about the security of the group, there was the financial sub-group, who looked after the financial aspects of the project, there was a technical work group, who was responsible for the technical and scientific aspects of the project, and I believe there was also a communication operation, or propaganda, as you would call it today, and probably a committee like that, but I was not involved with that, so I cannot really remember that, but what I do remember is the certainty and the working group and the technical group.

MR VALLY: What was your role as project officer?

DR BASSON: My role as project officer was to give the strategic guidelines which came from the co-ordinating controlling committee, and those guidelines then I had to process them and to come up with a practical way or plan to achieve the goals of the co-ordinating control committee.

MR VALLY: How often did this co-ordinating committee meet?

DR BASSON: I cannot remember. The committee met, in the initial stages of the project, on a regular basis, and surely thereafter I think it must have happened on a two to three monthly basis, maybe a bit longer, further apart, but then also sometimes they might have been closer together, it depended how urgent the matters were.

MR VALLY: So can we say that in view of the fact that the co-ordinating committee did not meet very often, that you were largely given a free hand?

DR BASSON: That is not correct, I did not have a free hand, and I repeat what I've said before, it was my task to receive the guidelines from the committee, to process them and to go back to the co-ordinating control committee with specific goals, and some of these goals had sub-goals, and the control committee had to approve these goals, and according to that a budget was brought into life and I received further guidelines from them and I also received authorisation from them to act in this regard.

MR VALLY: Let's understand these strategic guidelines that you are being given. Would they, for example, tell you, and this is not getting into your

case, but I need to ask you a direct question, would they tell you, "Make poisons"?

DR BASSON: No.

MR VALLY: Would they tell you, "Set up front companies"?

DR BASSON: No.

MR VALLY: Would they tell you what quantities of substances to produce?

DR BASSON: No.

MR VALLY: Whose decision was it to set up front companies?

DR BASSON: Front companies were brought into life after consideration was given with regards to the goals we wanted to achieve and after we did proper planning and we realised that the only way to achieve certain goals would be by the placing there of front companies, then afterwards the financial group would control the establishment of this company.

MR VALLY: The question is, whose decision was it initially to set up front companies?

DR BASSON: There wasn't a single decision taken to establish a front company. I repeat my answer... (intervention).

MR VALLY: No, no, Dr Basson, please, I heard your answer, there's no need to repeat it. You gave me a long story about planning, etcetera, where did the idea originate to set up front companies? The question is very simple.

DR BASSON: The thought of using front companies came after we considered the approach of the rest of the world with regards to... (intervention).

MR VALLY: Where did the decision originate, which person, which committee, who made the original decision that we should investigate this?

DR BASSON: All of these kind of requests or considerations were taken by the co-ordinating committee.

MR VALLY: Who would have put it on the agenda of the co-ordinating committee, was it you?

DR BASSON: Nobody would place it on the agenda of the controlling co-ordinating committee, it would have been submitted as an option and the committee would have decided.

MR VALLY: Did you put the proposal forward for discussion?

DR BASSON: Personally, no, I did not make the suggestions. In the light of the information and the certainty work group was attributed to this and they would have confirmed the necessity of such company.

MR VALLY: So whose idea was it initially, very simple?

DR BASSON: The whole world's idea, everybody in the world

works like that.

MR VALLY: Dr Basson, you don't bring the whole world to your co-ordinating committee meetings, do you?

DR BASSON: I bring the whole world's information to the controlling committee.

MR VALLY: So you brought the information to the co-ordinating committee meeting?

DR BASSON: Me and the members of the certainty work group were the elements of the information community, I was not a trained information officer, but it was used in the information community to make use of front companies and they gave us the necessary advice with regards to this.

MS SOOKA: Perhaps the question is fairly simple, why don't you give us the names of the people who actually participated in the making of this decision?

DR BASSON: For the only reason, I cannot remember, we're talking about the CCC in '81/'82, and the finance work group of '82, I can give you the costs, but I can't give you the names.

MS SOOKA: I don't want the costs right now, what I'm asking you... (intervention).

DR BASSON: Positions, posts.

CHAIRPERSON: You are not on record, Ms Sooka.

MS SOOKA: Sorry, Chair. It would help if you would give us the posts, but in addition it would help if you told us who was directly involved in the decision. I don't believe that you don't remember, so I would like to hear from you please?

DR BASSON: I'm sorry that you do not believe me that I cannot remember it, this was 18 years ago, and it is the truth that I cannot remember. The posts which were available, which were responsible in the controlling co-ordinating committee was the head of the South African Defence Force, the head of the Staff Information, head of Staff Finances, the surgeon-general, the commanding officer of the Special Forces, and also it could have been the head of Staff Operations of the South African Defence Force, I think so, I cannot remember exactly, and then from the Security Group, the director of anti-information and the army would have made use of such a project as well, there was also a member of the head of Staff Information, which would have been present, but I cannot remember the names of the individuals, except that the surgeon-general was then Nieuwoudt.

MS SOOKA: Thank you.

MR VALLY: Which companies were - I'm sorry.

CHAIRPERSON: Dr Randera?

DR RANDERA: Dr Basson, I wonder whether you're just making it a little more difficult than it really should be, the question to this answer. I mean you're starting a new project, 1982, it's a project, I mean you, it hasn't been done before, you're put in charge of developing this idea, as you said earlier on yourself, and the question is, who takes the different options to the coordinating committee? Now you must have put options forward in terms of the studies that you had done. As we understood it from General Knobel earlier on, there were very few people involved. Although he'd been invited to the initial meetings, he wasn't part of the group in 1982, but very few people were involved in terms of developing this project, and as I would understand the project, you put forward options in terms of front companies and whether Armscor should deal with it or the army's scientific laboratory should deal with it itself, and that's the question that's being asked, were you the person who put forward the options in terms of front companies?

DR BASSON: I'm going to repeat what I've said, I was one of those people who tried to shed light on this problem. The chief director counter intelligence, they knew about front companies, I did not know anything about front companies. The concept, like they operated overseas, I ...(tape ends)

DR BASSON: ...[inaudible] in the country. There was a committee decision, it was It was a committee decision and it was: "Management by Committee".

CHAIRPERSON: Mr Vally?

MR VALLY: As Project Officer, were you directly given the responsibility of setting these companies up?

DR BASSON: No.

MR VALLY: Who was?

DR BASSON: At a very early stage of this project the Management and Financial Work Group identified staff from outside, mainly from Armscor but also from private institutions to undertake the management, financial and administrative tasks.

MR VALLY: And the scientists?

DR BASSON: The scientists did not play any role at all in establishing the companies.

MR VALLY: Did you choose the scientists for the front companies?

DR BASSON: Under the instructions from the CCC I identified certain scientist whom we thought could make a contribution. After these scientists were approved by the CCC. The further recruitment was a shared responsibility by myself and the scientists who had already been appointed. For example, in the case of Doctor Goosen ...[intervention]

MR VALLY: Well that's fine because I've heard you there but I will come back to this and I'll give you another opportunity.

Which front companies were set up?

DR BASSON: If my memory serves me correctly the first front company that was established was Delta G Scientific.

MR VALLY: I asked you about all the front companies set up under the auspices of Project Coast. Can you tell us which front companies were set up under the auspices of Project Coast?

DR BASSON: I can't remember all the front companies. There certainly must have been a whole lot.

MR VALLY: Well tell us those that you do remember.

DR BASSON: Those that I can remember is Delta G Scientific and then there was a management and financial company called Infladel. It was Roodeplaat Research Laboratories and its affiliates. Infladel was later followed, if I remember correctly, by a company called Safmed (Pty) Ltd. Safmed, if I remember correctly, was followed by a company called, a Closed Corporation by the name of D John Truter cc.

MR VALLY: And there may be many more which you don't remember?

DR BASSON: No, I doubt it whether there were lots more but I could have missed one or two.

MR VALLY: I see. Now, let's just talk briefly about RRL, what was the responsibility of this front company?

DR BASSON: Roodeplaat Research Laboratories was instructed to develop a research laboratory to establish expertise whereby a defensive biological warfare capability could be developed in the Republic. It was the instruction to Roodeplaat to employ certain scientists to generate enough private funds so that the company could stand on its own feet.

After the scientific work for the Defence Force was completed they were allowed to do a certain amount of private research. Professor Folb will know that no scientist can do research or can do research continually without making known the facts. So every researcher had his own field of research where they could research and where they could publish the information.

MR VALLY: Is it correct Doctor Basson, that in the first few years, say in the first five years of the founding of RRL it was almost exclusively work for the South African Defence Force?

DR BASSON: I can't comment whether it was exclusively work for the Defence Force. Like anything else, the priority at that stage was to develop the military capabilities. It is so that perhaps during the first few years the private work from outside was not so important but at a certain stage I think they were of equal importance.

MR VALLY: Were you the person who determined what scientific experiments or developments should take place at RRL?

DR BASSON: No.

MR VALLY: Well who was then?

DR BASSON: After we had recruited those scientists and after we briefed them regarding the instructions and the purpose of the project, everyone of these scientists had the opportunity to on their own study the certain fields, identified the threats, determined the capabilities to establish the whole project.

After that, after the scientists had the necessary time they came back to me, and Professor Folb will know that no one such person can do such a big project.

MR VALLY: So they reported to you on scientific results they obtained, would that be correct?

DR BASSON: That is not correct. They reported back to me and confirmed which capabilities were required to manage this laboratory and in which directions research had to be done and what their priorities were.

After they briefed me I took this information and presented it to the technical work group. They were a collection of various scientists. This submission to the technical work group was sometimes in a formal manner, sometimes informal.

MR VALLY: Doctor Basson, will you just stop there. Did they report to you and thereafter you took it to this technical sub-committee? Was the first step that they reported to you on the scientific developments in RRL?

DR BASSON: It is correct that they reported to me with regard to the recommendations.

MR VALLY: Fine. Let's just stop there. Now, do you know Mr Swanepoel?

DR BASSON: I know a Doctor Swanepoel yes.

MR VALLY: I beg your pardon. Doctor Swanepoel the dentist?

DR BASSON: That is correct.

MR VALLY: And what was his position at RRL?

DR BASSON: What is or what was?

MR VALLY: What was his position?

DR BASSON: Somewhere in the middle of the 1980's, I'm not sure, I think '86, Doctor Swanepoel was requested by the Co-ordinating Management Committee and the Work Group for Management and Finances to go to RRL to solve certain management and financial problems there.

Initially he was appointed, and I'm talking under correction, as an Assistant Director or Assistant Managing Director and later the Financial and Management Committee found that it became necessary to appoint him as the Managing Director.

MR VALLY: Now he as Managing Director had no knowledge of research projects which took place at RRL, would that be correct?

DR BASSON: I said that he had to go there to solve the financial and management problems. ...[intervention]

MR VALLY: I heard what you said, please answer my question.

DR BASSON: As such he was not a qualified scientist and I could not expect from him that he had knowledge of the detailed scientific research which was done there ...[intervention]

MR VALLY: So he would have no knowledge of the South African Defence Force Projects carried out at RRL?

DR BASSON: That is not what I'm saying. You are putting words into my mouth.

MR VALLY: I'm asking you that question.

DR BASSON: I said he would have knowledge ...[intervention]

MR VALLY: No, my question is this, did he have knowledge of the South African Defence Force projects carried out at RRL?

DR BASSON: Doctor Swanepoel knew that the SADF used Roodeplaat Research Laboratories to do projects.

MR VALLY: Would he be aware of what those projects are?

DR BASSON: He not necessarily have known the detailed nature of the projects, it was not necessary for him.

MR VALLY: Did you know the details of those projects.

DR BASSON: Insofar as it was necessary for me to manage the project I had the necessary information. Professor Folb would once again be able to confirm that I am not a qualified ...[intervention]

MR VALLY: I want to put to you that as Project Officer you had knowledge of all the scientific projects carried out at RRL.

DR BASSON: I did not have knowledge of all the projects.

MR VALLY: All the South African Defence Force projects?

DR BASSON: That is correct, not of all the SADF.

MR VALLY: If you do not know about all the SADF projects, who did they report to?

DR BASSON: The researchers had a broad responsibility to work on their own to study certain fields and threats on their own and to do research without being initiated by me.

MR VALLY: Who would they have reported to Doctor Basson?

DR BASSON: If it was important they would have reported to me. If there were no results they would not report it and throw it in the rubbish bin.

MR VALLY: So if they had results on scientific projects they would have reported to you?

DR BASSON: That is correct yes.

MR VALLY: Thank you. And the instructions which came from the Co-ordinating Committee would be conveyed to them via you?

DR BASSON: In most cases that is correct yes.

MR VALLY: So this front company, the link between the front company and the Co-ordinating Committee was yourself?

DR BASSON: Not in totality. I was one of the links.

MR VALLY: In terms of the scientific aspects?

DR BASSON: Once again I was not alone, there were long periods that I was away and there was direct contact between other people. I attended various courses, so I am not the only link.

MR VALLY: Can you tell us specifically who did they report to besides yourself, on scientific issues?

DR BASSON: To the Technical Work Group.

MR VALLY: And who specifically?

DR BASSON: I cannot remember the members of the Technical Work Group but it would have been amongst other, the Director Technical Services or Technical Activities by special forces headquarters. It would have been the Surgeon General at certain instances and various other instances.

MR VALLY: And who are you referring to when you are talking about the Surgeon General? Was it General Nieuwoudt or was it General Knobel?

DR BASSON: Both of them.

MR VALLY: So they would have been informed of the scientific projects being carried out at RRL, in your absence?

DR BASSON: Inasfar as it was necessary to allow the research to run smoothly, yes.

MR VALLY: Well not simply to let it run smoothly because you are a front company you are accountable. They had to report to you what they're doing when they received results. In the normal course of events they would have been reported to the Surgeon Generals, General Nieuwoudt or General Knobel in your absence, are you saying that?

DR BASSON: I'm saying that I was accountable inasfar as the scientific sections were concerned. As far as the financial ...[indistinct] then I was not accountable.

MR VALLY: No, we're talking science only, we're only talking science. You were accountable from a scientific side and in your absence they would report to amongst others, General Nieuwoudt and General Knobel.

DR BASSON: And other individuals who would have had an interest, yes.

MR VALLY: Who?

DR BASSON: I repeat ...[intervention]

MR VALLY: No, no, I want names.

DR BASSON: I can't remember the names, people changed over the years.

CHAIRPERSON: Do you remember the people who in the years came and went? I think that is the general tone of the question. You may have known

that there was General Nieuwoudt. I'm just giving examples, General Nieuwoudt, Joop Joubert, Kat Liebenberg. I'm just mentioning the names, not necessarily because they are relevant. That is what he wants to know.

There is a sense that you should know who was there at one stage or the other, in the context of what you are being asked.

DR BASSON: It would have been various people. If I remember correctly it was Colonel Engelbrecht from Special Forces and at a certain stage there were one or two Colonels. I'm trying to remember, I can remember his face but I can't remember his name. Counter Intelligence people, the Generals and the security officers of counter intelligence would have been involved, where threats were identified and I was not available, where threats were provided to RRL for further evaluation. That is about as far as I can come with the names Chairperson.

CHAIRPERSON: Mr Vally? Maybe this would be a convenient stage to take the tea adjournment.

MR VALLY: Could I ask that the tea adjournment be curtailed Mr Chair to 15 minutes instead of half an hour?

CHAIRPERSON: So be it. We will resume at a quarter past eleven.

COMMITTEE ADJOURNS

ON RESUMPTION

CHAIRPERSON: You are still under oath.

WOUTER BASSON: (s.u.o.)

CHAIRPERSON: Mr Vally?

MR VALLY: Doctor Basson, let's talk about the fertility programme into which research was conducted at your biological facility at RRL. Who initiated the fertility programme or project rather?

DR BASSON: As far as I know there was no fertility project registered at Roodeplaat.

MR VALLY: Well we've heard evidence here which says and I it was Doctor van Rensburg, and I think your legal representatives may have been present when he gave evidence, where he said he participated in the fertility project and the original assignment to do this programme came from Doctor Wouter Basson.

DR BASSON: Mr Chairman, I deny that strongly. There was no such instruction and no such project was registered at RRL.

I want to add to that that the investigative unit had enough time and they paid two visits to Riana Borman, the scientist who handled that "peptits sintese" work and where she confirmed to them that there was no fertility control

programme. They decided not to accept her evidence. She explained to them and showed them which publications were written regarding the work done at RRL. It had nothing to do with fertility control project.

MR VALLY: Mr Chair, I don't want to get involved with Doctor Wouter Basson about his allegation regarding Doctor Riana Borman's alleged statements.

But can I get it unequivocally from you that there was never any fertility project undertaken by RRL? Are you saying that?

DR BASSON: Chairperson, I cannot answer that question. That question is like asking: "Was there a biological programme at Roodeplaat"? What does Mr Vally mean by a: "fertility programme"?

MR VALLY: Well let me explain to you since you are the medical doctor. A fertility project is a project in terms of which you are trying to control the fertility of human beings reproductive capacities. Was there any such project at RRL?

DR BASSON: No, Chairperson, no such project existed at Roodeplaat Research Laboratory. Not on instruction by the South African Defence Force in any case. What Doctor van Rensburg did on his own I cannot vouch for that.

MR VALLY: I refer you to TRC47 and TRC48. Do you have those documents?

DR BASSON: I have the documents, yes.

MR VALLY: Let's look at TRC47. There's reference here in this document to clones and anti-sperm agents I think. Can you tell us what your understanding of what this document is about?

DR BASSON: I did not compile this document. It seems to me it is a project report while progress is made regarding the cloning of genes and this is a scientific explanation of theoretical information.

MR VALLY: Well let's look at TRC 48 then. Do you see TRC48?

DR BASSON: I see TRC48 yes.

MR VALLY: Do you have any knowledge of this document?

DR BASSON: I don't have any knowledge of this document. It seems to me like an internal Roodeplaat document. I have no knowledge of this.

MR VALLY: So you had no knowledge whatsoever and you deny that you initiated any fertility project?

DR BASSON: I deny that there was any project at Roodeplaat initiated by the Defence Force to control the fertility of people of any race.

MR VALLY: If there was such a project at RRL and the funding for this project came from the South African Defence Force would you say that it was unlawful expenditure?

DR BASSON: No, I have already explained to you that every one of the researchers had the right, had the opportunity to research certain fields of interest at the cost of the Defence Force as part of the development of technology basis. This work was not done on instructions by the Defence Force to control the fertility of any persons.

MR VALLY: You told us earlier that the results of scientific research would be reported to you unless you were absent.

DR BASSON: I also told you that the research was not necessarily reported to me if it was done within the private research of the scientists. If there was negative research and the researcher did not deem it necessary to report it to me, they did not do so.

MR VALLY: So the Defence Force would spend money on projects which researchers would do out of their own interests.

DR BASSON: Mr Chairman, I'm going to say it for the last time, that it is part of the philosophy of the research brief, that every researcher had the right to do his own research.

MR VALLY: Doctor Basson, you're not understanding my question.

CHAIRPERSON: Just allow him to finish.

DR BASSON: Each researcher had the right within his own field of interest, his or her own field of interest to a certain degree do research so that they could do other work besides the work for the Defence Force. They were scientists, they had to publish, to write publications and tell other scientists what they were doing.

This specific project was within the field of interest of certain scientists and their field of interest was not the control of the fertility of people. That had to do with the identification of certain sperms and we were interested in this because the of "peptits sintese" project but there was never ever the intention to control the fertility of any people. This is an outright lie.

MR VALLY: So if I understand your long explanation, there would be private projects carried out by researchers in terms of your philosophy which would be paid for by the Defence Force?

DR BASSON: Mr Chairman, I have to give long answers because Mr Vally has a problem to understand. The answer is yes.

CHAIRPERSON: Gentlemen, can I just say, it would facilitate these proceedings if you just answered questions but questions also must be put directly to the witness and no sarcasm must be laced in either the answers or the questions.

DR BASSON: I apologise for any sarcasm Mr Chairman.

MR VALLY: So you deny Doctor van Rensburg's statement that you personally came to see the scientists at RRL and alleged that Savimbi had a problem in UNITA in terms of his best troops who were female falling pregnant most of the time and wanted some help in this regard? Are you denying that?

DR BASSON: Mr Chairman, I deny that strongly. Professor Folb is there and he will know the scientific absurdity of this proposal. There are enough substances available.

MR VALLY: This is about the fourth time that you've referred me to Professor Folb. I would appreciate it if you answered questions. Professor Folb is not a witness here. Professor Folb, for the purposes of this inquiry, is a member of our team.

DR BASSON: Mr Chairman, I apologise that I involve Professor Folb but he and Doctor Randera and Doctor Orr are the members in this hearing who will understand what I'm saying, who originally would have had the knowledge to say this was absurd.

The facts of the matter are, if I had female soldiers there are very good techniques, for example progesterone injections could solve this fertility problem and also the menstrual problems.

MR VALLY: Doctor Basson, on that issue ...[intervention]

CHAIRPERSON: Can I just come in here?

Doctor Wouter Basson, I would like you to relax and I'm going to tell you why I'm saying this. These hearings have been extraordinary because they have been dealing with extraordinary allegations. I can well understand that some of the propositions that may be made to you may in your professional opinion or even in your opinion as a human being, they may sound to be outrageous and they may be of a nature that causes you to express your outrage.

So I think you must understand that they are not meant to rile you. We are all seeking to get a view and the importance of your testifying and stating your views in the strongest way is because we felt it would be unfair if some of these things were said about you and were attributed to without you having an opportunity to reject them as you are doing.

I'm not saying you have done anything wrong, I'm simply saying there may well be instances where I think tempers are going to be rising and the thing is going to end up in a shouting match between you and Mr Vally. So if you can just be laid back.

DR BASSON: I apologise Mr Chairman.

CHAIRPERSON: No, no, I'm just trying to pace down what I seem to be seeing as tempers that are ...[intervention]

DR BASSON: Yes, but I just want to say my "argwaan" is not directed at the Committee or the procedures carried out here. My "argwaan" is directed at the investigators who wasted several days, weeks and hours when they could have sorted out these simple scientific facts with relative ease. Any medical person could see that these remarks are absurd, so my "argwaan" is not directed at the panel or you or anybody else.

CHAIRPERSON: Even if it is against them that you are expressing your outrage ...[intervention]

DR BASSON: For that I apologise.

CHAIRPERSON: Just relax Doctor Basson.

DR BASSON: I apologise for that.

CHAIRPERSON: Ja.

Mr Vally? Doctor Randera?

DR RANDERA: Doctor Basson, can I just take you back to the establishment of this programme. I think earlier on you said that you were part of employing many of the scientists as the Project Officer.

DR BASSON: That is correct.

DR RANDERA: Now I understand this philosophy that you're professing, that as part of the Chemical and Biological Warfare Programme you employed scientists who also did work in their own right, and this was a front company and therefore you wanted to give some credibility to this company. I understand that.

What I'm also trying to understand is why do you bring someone like Doctor Borman, who I understand even today works as an infertility expert. What is the reason for bringing her into a programme whose central responsibility is to develop chemical and biological potential in a defensive, I'm not even talking about an offensive capability, for defensive purposes?

When you employed her, what was the thinking of bringing a person of her capabilities? I mean earlier on you said yourself you did not actually have any real expertise. I understand, you had a masters in physiology and science. You

were a cardiologist, I'm a doctor too you know, you keep referring to Professor Folb but Doctor Orr and myself are also doctors but we're not Chemical and Biological Warfare experts and neither were you at the time. So let us understand why you bring an expert in infertility work into a programme such as this if it was not related in some way to what your purpose was.

DR BASSON: I never meant to discriminate against you and Doctor Orr when referring to Doctor Folb. He was one of the persons who had to identify and solve this problem before the time.

I did not employ Doctor Riana Borman. Doctor Riana Borman was appointed by the staff of RRL. If you establish such a laboratory you need specific capabilities from cleaning and security to the physiology laboratory to do certain experiments.

Doctor Borman was initially appointed with the instruction to do certain tests regarding physiology and pharmacological things. That was why she was appointed there and that is what she did all the time, to do physiological tests and observations, to establish that there at RRL. It had nothing to do with CBW. Any laboratory must have it otherwise a person cannot do basic research.

By chance she also had the capability and was also interested in this field and she was recruited from a local hospital, as far as I know, to establish the physiological laboratory there. She explained that to the Investigative Team in her statement or the interview which she had with them, that her fertility ... Later on other projects became connected to that.

DR RANDERA: No, I accept what you're saying but if we look at this document that is in front of us, all the work that she was involved in in one way or another seems to indicate a specific direction. I don't see on this page at any rate, which is under the work that she was doing for this particular year, any of the things that you are referring to.

MR CILLIERS: I just want to know, is the suggestion of the question that that is the totality of her work?

DR RANDERA: No, no.

MR CILLIERS: Because that is how it comes across.

DR RANDERA: That is why I'm saying, as I understand this document it's almost a budget breakdown of the work that was being done for that particular year and I would have expected as the Project Officer for this programme that Doctor Basson would have been aware for that particular year, that this is the work that Doctor Borman is doing.

DR BASSON: No, it's not correct to say that. This is only an extract or a part of all the work Doctor Borman did. I can't comment on TRC48. I don't understand it, it's an internal document referring to budgets. There are certain abbreviations I don't know. I would never have seen such a document. As Project Officer it wasn't necessary for me to have insight in that. This is only a small part of the work being done by Doctor Borman. Doctor Borman was never involved in any Chemical and Biological Warfare projects at all. She supported a physiological laboratory which was used for other purposes.

She identified certain sperm, anti-genes and she wrote publications regarding that, that was part of her research.

CHAIRPERSON: Mr Vally?

MR VALLY: Thank you Mr Chairperson. Mr Chairperson, for the record there is a total distortion of what the investigators' interviews with Doctor Borman were but I don't think I should get involved with Doctor Basson about this since he wasn't the party that they had the interview with.

I will go on with my questions. So we've got Doctor Schalk van Rensburg who says that you initiated the project, and let's not fool around, try and impress us with Depo Provera, we know about Depo Provera. The suggestion was there were attempts at surreptitiously introducing fertility control products, medicines, whatever you want to call it, into items which people would use for drinking purposes or whatever and I want to quote to you what Doctor van Rensburg said. He said:

"We were not requested, we were told. As I said the only reasons we were given was refugee camps and Savimbi's female soldiers but I say logistically they're rather silly reasons for such a major project. One assumed they wanted to use it on a larger scale. I can't say they wanted to use it covertly, it might be a genuine attempt to make a product available to a population that wants it. These immunisations as I say are first, easy to detect and secondly, in most cases very reversible. So it would be a very desirable project and there are huge amounts ..."

And he goes on. He also says:

"Basically of course we didn't really believe the motivation that Doctor Basson gave. Maybe he was right, maybe he was wrong but I was suspicious. We didn't worry too much, I didn't worry too much. Having looked at it I thought it's a good project. We appointed Doctor Riana Borman to actually lead the project. I was an advisor, technical advisor"

And then he goes on:

"There was no reason at any stage whatsoever of developing a vaccine that only works in blacks or that's colour or ethnic based. Biochemically blacks, whites, Chinese or whatever are identical. There is nothing, no academic reason or a difference that you can look on to make racially based vaccines. There's no such thing that I know of. So we told him at an early stage after doing the literature reviews, and I quote: 'Do you understand Doctor Basson, the thing is very easily detectible'. It was Doctor Basson and Wynand Swanepoel who pushed this constantly"

And further on:

"They said that didn't worry them, we were to carry on"

Now he is very specific about his allegations regarding you. Let's see what Doctor Goosen says. Doctor Goosen says:

"Our final brief or the other brief was a very, very important one. It was to develop a product to curtail the birth rate of the black population in the country"

and the question he was asked:

"Could you tell us a little bit more about this? Who asked you to develop this product"?

and doctor Goosen answers:

"The person who directly instructed us or asked us to do this was Doctor Basson. Now there was a lot of talk about the ethics of this, that and the other and the rest. He spent some time quoting to us the census figures for 1982 or 1981 or whenever the census was. I can't remember exactly that the census office stopped counting the black when they reached 45 million. And the government decided it is not feasible to make known to the public that there were 45 million blacks, it was just too many. And this was mainly one of our big threats. I think the figure of 28 million was made known. Now if those are true facts I wouldn't know. Up till today I don't know but that was presented to us by Doctor Basson"

Both these doctors, scientists working at RRL, why would they give such detailed information concerning your involvement in this issue?

DR BASSON: Chairperson, I hope I'm going to get as much time to answer that question as what the question took to be asked.

I cannot speak on behalf of Doctor Goosen or Doctor van Rensburg. I do not know what they said and I deny categorically everything that they would have said with regard to this.

I just would like to tell you that both Doctor Goosen and Doctor van Rensburg on several occasions in my presence because they were unhappy with the fact that they were fired because of incompetence and other activities, threatened Surgeon General Knobel that they'd make these kinds of allegations in an attempt to persuade the Surgeon General to give them financial reparation. I'm used to this kind of misperception by both of them.

Otherwise I cannot give comment except by saying I deny it and secondly, that there is no scientific basis on which this sort of vaccine could have been applied, to suggest that it could clandestinely be used to use it in drinking water. How can you do it with a protein because a protein is an anti-body. It can only be done by means of injections. How do you control such a thing? It's ridiculous to think that we would have been able to distribute such a vaccine so it hits the specific target group.

I can only say that the allegations of both Doctor van Rensburg and Doctor Goosen as well as the scientific and operational basis which they suggest is absolutely laughable.

CHAIRPERSON: Are you then saying that they had a motive to implicate you or to lie to us? And I think that was the essence of his question, what reason would he have.

DR BASSON: I can't say that they had motivation to tell you that I'm lying. All I can tell you is that both of them, as you said this morning, must be seen in the context that both of them were unhappy and on several occasions they threatened. They did not threaten me because I can't give them money but they threatened the system by means of the Surgeon General and said that they'd make this kind of disclosure. That is my answer.

CHAIRPERSON: Mr Vally?

MR VALLY: You have told us that TRC47 and 48 you have not seen before, you have no knowledge of them but you do note that both of them say that they are strictly confidential. Do you note the stamp thereon?

DR BASSON: Chairperson, I cannot comment with regards to internal documentation of Roodeplaat. As far as I know all their documents, even those of private clients because they made money out of it and you can go to any research laboratory today and I won't mention names because they say that I accused them, you can go to anyone of these and you will find there that certain work which was done for Mosgas, excuse me for using an example, by some other universities also were strictly confidential.

So it was an internal decision of RRI, that's all. It wasn't my instruction it should classified like this. I had nothing to do with the classification at all.

MR VALLY: Doctor Basson, let us go one. Doctor Goosen also says in 1983 or 1984 you personally presented him with a document, he says with a scenario and a document, which document was allegedly delivered to the military attaché in London. In terms of which a person alleged that he had a product, an ethnic specific bacteria which had the possibility of making sick and killing pigmented people. It was in 1984.

There's a cloak and dagger operation as to how he was to be contacted. However, it was decided not to sent Doctor Goosen to London because it was felt this was a trap in the same way that the Armscor persons were arrested in Paris, I think trying to buy some arms from or sell arms to the loyalist factions in Northern Ireland. So because that had happened shortly before that he was not sent out there.

Do you have any knowledge of this scenario, where you were going to send Doctor Daan Goosen to follow up a lead on ethnic specific bacteria?

DR BASSON: The answer is no, Chairperson. Can I elaborate on that please as I think it's quite important for the public and the audience.

I cannot remember this specific incident and I also deny it, but I'd also like to tell you that it was a part of the defensive role which we played in the project. If such a weapon to our knowledge then I would have failed in my task if I did not follow up on it and did not determine if it's not actually the case, because the implications for the use of this against the population in South Africa would have been phenomenal. I deny that I've ever given Goosen this instruction but it was part of my job to take notice of these things. I also want to put it clearly that the greatest data base for Chemical and Biological Warfare which I accept Professor Folb as Technical Advisor for the Committee or the Investigative Unit investigated this, it's ...[indistinct] documentation.

They brought out a document of over 250 pages with regards to research which was done in America, research in Russia with regard to ethnic specific weapons up until 1986. And I want to put it that there is no biological, no genetic, no physical base on which one can develop an ethnic weapon.

This is the conclusion to which the American Government as well as the defensive organisations, the Russian Government and their defensive organisations and the Swedes, this is what they said. So something like that would not have been possible. If there was such an allegation I as the leader of

the project, like any other threat I would have had it analysed but I was not aware of such a threat. I'm not aware of such an instruction to Doctor Goosen.

CHAIRPERSON: Well I think the essence of the question was not so much the conclusion that was actually arrived at, that such weapon could be developed but that there were attempts to do some research in that direction and I think that was the essence of the question and whether you ...[intervention]

DR BASSON: By whom Mr Chairperson? Attempts by whom? I don't understand what you are saying.

CHAIRPERSON: Well as I understand it the questions are being put to you insofar as you may have been involved in a programme to do research in that direction.

DR BASSON: We were never involved Chairperson in any research there. It wasn't necessary to the that research. It would have been a total waste of the state's money because it's impossible.

Up to and including 1998, 31st July, it's impossible with the current status of science to consider something like that.

CHAIRPERSON: Well I must say, if it comes to waste and attempts that were done stranger things have happened in this country where money was wasted on projects which you would never have thought there would even have been an attempt. So I'm just saying I understand, I hear what you are saying but it is no reason to say on the evidence that may be available no such thing could have been embarked on simply because we are now able to conclude that it is impossible.

DR BASSON: I can state to you categorically our recommendation to the Defence Force was: this is not possible because the threat against the people of South Africa where the black people were part of this, I had to analyse this whole threat and I would have investigated on a theoretical basis. No research was done with regards to this.

CHAIRPERSON: I hear you.

Mr Vally?

MR VALLY: Doctor Basson, in this period we did have in South Africa a political situation in terms of which only white people were allowed to vote. We did have a government in South African which only represented the white ...[intervention]

DR BASSON: Mr Chairperson, this ...[intervention]

MR VALLY: Mr Chairperson, I need to finish this.

DR BASSON: What has it got to do with Chemical and Biological Warfare?

CHAIRPERSON: It might have all the relevance in the world. Be patient. I thought we had come to an agreement, just be patient please.

Mr Vally?

MR VALLY: You as a person in charge of the Chemical and Biological Warfare side, as Project Officer, isn't it logical that a fundamental racist government which was not - please Doctor Basson, you counsel will intervene if necessary, isn't it logical that a fundamentally racist government would want to try and achieve means of decreasing the black population, of rendering as many of them infertile or sterile as possible? Isn't it logical if it's very fundamental basis for existing is a racist premise?

CHAIRPERSON: May I just, maybe not using such strong language, I'm not saying it is wrong language. I'm sure you'll take judicial notice of the fact that there were pronouncements if I remember well, in the period in the '80's certainly from politicians that black population should be curbed and curtailed and there was even a corresponding call to members of the white population to, for lack of a better word, to have more babies and to have more children and this seemed to be very strange coming from politicians.

So it doesn't really come as something that has no historical background, that there were calls by politicians. I think if my memory serves me well, and then I don't seek to speak ill of the dead, Mr M C Botha was one of those politicians who made that sort of call in his heyday, that the view was established that there seemed to be many black people and that there was a need for their proliferation to be curtailed and a call was made to white parents to produce more babies.

DR BASSON: Mr Chairperson, if I may answer. I'm not a politician and in my life I have never paid any attention to what politicians said. I must admit that this statement about the curbing of people would give me a new idea about Chemical and Biological Warfare, it could have been fun to try and use it.

CHAIRPERSON: Well there is a proposition that has been made that, and incidentally some of the evidence that has been led certainly from General Knobel, was that there may well have been a good intention on the part of those who were behind the establishment of the programme because as a defensive programme it could be justified but the develop and abuse of the programme. So you must bear in mind that some of the questions that we put in relation to which we have not made any judgement at all incidentally, are influenced by evidence which exists and which seems to suggest that what might well have

started as a good programme was abused by others, by among others yourself. I know what position you take in regard thereto.

So you must understand that there is a broader picture in the context of which we put some of the questions.

DR BASSON: I said that I'm not a politician. I cannot comment on what he said because I do not know what he said.

Can I give an example of a political intervention or where I was exposed to political influence within this programme? Maybe this would also help Mr Vally understand how instruction giving worked at Roodeplaat and it will also show the sensitivity of the politicians who I was involved with.

In the mid '80's I think '86 or '87 I was called to General Malan's office. He was Minister of Defence. And he showed me a document which was an information report. The Head of Staff Information also gave me this or Intelligence, and in this intelligence report there was obvious information that certain members of the ANC at that stage for purpose which I'll mention now, they wanted to make an attempt to kill Mr Mandela within the jail. The reason for this would be that they regarded him as a threat for their own young ambitions and they also thought that he would not be radical enough.

Mr Malan on instruction of the CCC gave an instruction to me to use all possible measures and to put them into place to make sure that for the benefit of this country and the co-operation of the people in future, that Mr Mandela stays alive at all costs. I then went in a classical military method. I interpreted that instruction and I interpreted that instruction on the classically military method by introducing a blue force and a red force.

The blue force scientist I would give an instruction to investigate all ways of killing Mandela in jail and I would leave them with that. They would do a theoretical research, they could do what they want. I would say to the red force: "Kill Mr Mandela". The blue forces, because blue forces were always friendly in military terms: "Develop all techniques to save and to defend Mr Mandela and make sure that nothing happens to him in jail".

After months of research and instruction giving, the red force comes with a plan to kill Mr Mandela and the blue force comes with a plan to protect Mr Mandela, in other words security measure which has to be put into place. So I take those two plans and I integrate them into one plan. Sometimes the red forces think of something the blue forces forgot to think about and the other way around.

My job was to eventually integrate those plans and to set a protection plan for Mr Mandela to ensure that he does not become the target of forces which would destabilise the future of this country.

I then handed that plan over to the necessary authority. I remained the technical advisor for such a plan and the priorities implement the matter further. The fact that Mandela is still alive today can be ascribed to the fact and the way in which the political leaders of that time saved his life in order to ensure the future of this country. That is how the instruction giving would have worked. That is the sensitivities of those politicians which I had contact with.

I did not know M C Both, I do not know what he did but the politicians I did work with never made these aspirations clear to me or never disclosed such aspirations to us.

CHAIRPERSON: Mr Vally?

MR CILLIERS: Chairperson, can I just interrupt here for the purposes of the record? Reference was me to this programme with regards to what would attack the fertility of the black people and what Knobel also said. According to what you've said General Knobel referred to the broad project of biological warfare and there were certain aspects which might have been misused by certain individuals. The impression that is left because of the debate between you and Doctor Basson is that is this specific aspect ...[intervention]

CHAIRPERSON: No, no, no.

MR CILLIERS: I just want to put that part right so that there is ...[intervention]

CHAIRPERSON: No, no, you are right.

MR CILLIERS: Thank you Chairperson.

CHAIRPERSON: No, no, I think I was putting it as some example, that the programme and not specifically the infertility research just the programme but I take your point.

MR CILLIERS: Thank you.

MR VALLY: Your example is very interesting. You don't have that document here do you?

DR BASSON: ...[inaudible]

MR VALLY: The document that General Magnus Malan allegedly showed you.

DR BASSON: No I do not. I never had that document in my possession, it wasn't my brief.

MR VALLY: Are you aware of the State Security document we gave to your lawyers wherein there was discussions of plans to possibly as an option poison President Mandela while he was in prison?

DR BASSON: I never saw this document. I received notice of the argument but I did not read that in that document or any plan to poison Mandela. There were several options made by a sub-committee, it wasn't even the State Security Council, a sub-committee of the State Security Council considered in terms of release.

I did not see the document and I made no recommendations about that document. I cannot comment on that document. It was not General Malan's instruction to me. It was not approach of the managers of the project. I distance myself from that document. I bear no knowledge thereof.

MR VALLY: Alright. But the fact is that you make an allegation that possibly President Mandela is alive because of your work or on the contrary the possibility also exists that President Mandela is alive because there was no such plan by the ANC to murder him. Is that a possibility?

DR BASSON: I cannot comment on anything except that which I've seen in writing.

MR VALLY: Fine. You say you saw a document which you can't produce right now. We have tendered a document to your attorneys headed: "Secretariat of the State Security Council"

Do you General Major JFJ van Rensburg?

DR BASSON: No.

MR VALLY: This document is dated March 1986 where one of the options is the poisoning of President Mandela, are you aware of that?

DR BASSON: I am not aware that it is written in the document as an option. I do not know this document, I cannot comment on the document, I did not draw up this document, I had nothing to do with this document and I carry no knowledge of this document. This is the last time I am saying this.

MR VALLY: I understand that your ...[intervention]

CHAIRPERSON: Doctor Basson, Doctor Basson, take it easy. If he repeats questions it is his prerogative until I think he is being very provocative. I will protect you. Your lawyer will protect you.

DR BASSON: Thank you. I was just under the impression that he is acting as if this is cross-examination. This is not cross-examination, this should be an attempt to find the information.

CHAIRPERSON: Doctor Basson, you have got a panel of five people who will look after your interest apart from the fact that your lawyers are very quick to make sure that your best interest are protected. Please, please, let's - if we never finish today we never finish, so let's take it one day at a time.

Mr Vally?

MR VALLY: What I'm putting to you is simply this, that there is a document in the name of the State Security Council, which has an option, talks about ensuring that when President Mandela is released he would be in a weak physical condition in terms of his health so that he will not last long as leader. I am not saying that you had anything to do with it, that will be my following question. But, are you aware of such a document? Did you attorneys or your legal representatives make it available to you?

CHAIRPERSON: Well he has already said, what he saw of the document was ...[intervention]

MR VALLY: Mr Chair, there are two different documents we're talking about. There is an allegation that General Magnus Malan showed him a document which said the ANC were going to kill President Mandela ...[intervention]

CHAIRPERSON: No, but then he had indicated Mr Vally, I'm sorry, he had indicated that he doesn't have that document, he cannot produce it.

MR VALLY: That's right.

CHAIRPERSON: And I think you went on to talk about a document which was tendered in these proceedings.

MR VALLY: Yes.

CHAIRPERSON: And I think what he has been saying is that he is not the author of that document, he knows nothing about that document but in any event there is nothing in that document that suggests that Mr Mandela was to be poisoned.

I don't know whether you want to establish whether it is the document that you tendered in court that he has been referring to, in that context.

MR CILLIERS: Chairperson, on the same basis I do not want to really object because we are wasting time and time is limited but there is no recommendation or conclusion or suggestion in that document of poisoning.

CHAIRPERSON: That is a matter for argument.

MR CILLIERS: It's a question of argument.

CHAIRPERSON: But I think he wants to establish whether in fact we are talking about the same document.

MR CILLIERS: It is the document. The witness has said on several occasions that he has never seen that document. He saw it now after he came forward here but what is the relevance of asking questions about that document when the witness says: "It's got nothing to do with me, I have never seen it before, I know nothing about it, I don't even know the parties that are mentioned therein, the General who is referred to".

CHAIRPERSON: No, I think what Mr Vally wants to establish is whether since it was tendered he has become aware of its contents.

Is that what you are wanting to establish Mr Vally?

MR VALLY: That is correct Mr Chairman.

MR CILLIERS: I'm placing this in front of him now and if Mr Vally wants to refer to this he's welcome. I just want to place it on record that we have already spent a lot of time arguing on his interpretation thereof and I don't want to do it again, but Mr Vally is wrong if he tries to suggest that there was some kind of poisoning undertone in this document. I don't want to waste your time with further argument in this regard, it's already been done. ...[transcriber's own translation]

CHAIRPERSON: I understand Mr Cilliers. You have made the point even at the time that it was being tendered and I understand that you are wanting to say it is not the only conclusion that can be arrived at on a close reading of that document. Mr Vally holds a different view.

And I think your client in his reply has actually taken a position which is consonant with yours as far as the contents thereof are concerned. I think at this point he was seeking only to establish whether we are talking about the same document and you have already indicated that that is the document.

MR CILLIERS: If that is all, the document is before of the witness.

CHAIRPERSON: Yes. Doctor Randera?

DR RANDERA: Doctor Basson, can I just take you back to your red and blue methodology that you developed.

DR BASSON: I did not develop that, it's a classical military ...[intervention]

DR RANDERA: Well your groups of scientists developed it.

DR BASSON: No, it's a classical military planning strategy.

DR RANDERA: No, let's not get into the ... All I'm trying to ask you is that was that one of the, was it the blue group that was looking at how Mr Mandela could be weakened or killed?

DR BASSON: The red group.

DR RANDERA: Was it the red group? Okay. Was that one of the possibilities that your expert group looked at when they proposed ways of either killing Mr Mandela or weakening Mr Mandela?

DR BASSON: I do not understand the questions. What is the: "one of the possibilities"?

DR RANDERA: Let me explain. You said earlier on that you had this discussion with General Malan alright.

DR BASSON: He had a discussion with me I never had a discussion with him.

DR RANDERA: You were in a discussion with him. Let's not play with words. And after that you took a very militaristic position on this and you developed, well there was this development of a red group which looked at the possibility of killing Mr Mandela and a blue group that developed systems whereby he could be protected in the event of something like this taking place.

Now all I'm asking you is that in terms of the option that were put forward by the red group, was this one of the options as put down in this document? Which you have seen, which is in front of you.

DR BASSON: Which option? I'm not sure which option you're referring to.

DR RANDERA: The one that is referred to in this particular document from the State Security Council.

MR CILLIERS: Just to place in front of the witness, there are recommendations at the end of this document. There's five options which is spread all over this document. Can you just be a bit more specific?

DR RANDERA: That's exactly what I'm asking. Was that part of the thinking of this expert group?

DR BASSON: No, Doctor, the groups would have considered all possibilities to render Mr Mandela useless or out of action. I cannot remember all those options but this group as far as I am concerned had no contact with the State Security Council. I never conveyed any of this to them.

We would have acted in the classical military planning method and we would have considered the issue from both sides and at the end I would have integrated two plans and come with a final plan but this was a plan to protect Mr Mandela. There was never a plan, I never submitted an attacking plan. It was a plan to protect Mr Mandela against any possible onslaughts of whichever party.

As far as I am concerned there were some young people in the ANC who wanted to get rid of him, this is what was conveyed to me but what I did in the end was to draw up a plan to ensure that he lives and that he would be in good

condition so that he could take over the country because it was already insinuated to me, that that would be the case. Otherwise I would not have received the instruction that he must live forever.

DR RANDERA: And you wouldn't be able to provide us with copies of either of these plans? Either your red group plan or your blue group plan?

DR BASSON: Those documents would be part of the military documentation somewhere. As you know I've already left the force a number of years ago and I've got no documentation available to me.

CHAIRPERSON: Thank you Doctor Randera.

Mr Vally?

MR VALLY: Doctor Basson, have you every attended meetings with the State Security Council?

DR BASSON: No.

MR VALLY: Have you ever presented reports to the State Security Council?

DR BASSON: No.

MR VALLY: Who is the most senior politician to whom you've produced reports?

DR BASSON: The Minister of Defence.

MR VALLY: Was General Magnus Malan ever one of these Ministers of Defence to whom you reported?

DR BASSON: Yes.

MR VALLY: Well, let's talk about this further. Is there any other state grouping operating covertly at the time, and I'm talking 1986, which would have been involved in biological or chemical warfare in South African that you know of?

DR BASSON: I don't have knowledge of that and if it was the case I wouldn't have known about it.

MR VALLY: So if I was looking for a tuberculosis bacteria for purposes to be used by State Security Forces, I would come to you?

DR BASSON: My answer is that that is a bad choice of organism but if we look past the technical point you wouldn't have come to me. Somewhere I would have had to receive an instruction or a request from some or other organ or a committee or whatever.

MR VALLY: Absolutely. State Security Council or anyone, anyone ...[intervention]

DR BASSON: I never received any instructions from the State Security Council and/or requests or any ...[intervention]

MR VALLY: I understand that but theoretically I would come to you, you'd be the right person ...[intervention]

DR BASSON: I am advised by me legal counsel not to speculate so I'm not going to even speculate about this.

MR VALLY: Advocate Cilliers, I think that was very inappropriate if you mumbled to him not to speculate.

MR CILLIERS: I take very strong exception against my learned colleague's insinuation. I did not mumble anything. Maybe you have learnt to know me by now, I am not scared to take the microphone and to say what I want to say. Maybe Mr Vally must choose his choice of words better.

I confirm that before Doctor Basson started testifying I told him: "Stick to the facts, we've got limited time, don't become involved in hypothesis or speculation, give the facts to the questions which are asked of you". I confirm that I advised him as such.

CHAIRPERSON: Gentlemen, you are not making my task easy.

MR VALLY: One last question. Would the option of one of these blue or red groups have been, introduced some kind of bacteria and thereby infect President Mandela? Yes or no?

DR BASSON: I cannot answer yes or no to that question because it is not a yes or no answer. I repeat again, to place this in context, there were several recommendations and this have included anything with regards to something that made his eyes blue, to something that makes his hair fall out, to something that would make him wrinkled so that he should look old. Every option would have been considered but it would have been theoretical considerations. The research was not necessarily done with regards to this. The instruction was to identify all possible threats against Mr Mandela and to investigate them and to make sure that the authorities who looked after him should know about the threats and the necessary protection measures can be put into place.

MR VALLY: Can you explain to us Doctor Basson, why you in charge of the Chemical and Biological Warfare Programme would have to look at security concerns regarding the safety of President Nelson Mandela at that stage, in prison, imprisoned by the then Government? Why would they come to a Chemical and Biological Warfare person for that?

DR BASSON: Mr Chairman, I cannot answer on behalf of General Malan. Certainly he considered and I can tell you why he considered the option. One of the important pieces of research we did was, the South African Security Forces found a certain ANC cache and we arrested some ANC members. There were a

few containers with chemicals in them. They brought those substances to me during the early stages. Those were substances used by sangomas to poison people. I personally spent two days in the hospital because I became exposed to those substances.

I did not drink dettol like the other people, I went to hospital which was a very sensible way of handling it. At that time we thought that the Russians and the East Germans and the Cubans played a very important role in the ANC's approach and then the classical weapons of the Russians and the Cubans would also have been made available to the ANC. I would think that General Malan with the knowledge of those substances we found in an ANC weapon cache, that he would have considered that in the event that there were any members of the ANC who would have killed Mr Mandela, that that was one of the ways.

They could have blown up the prison, they could have poisoned him, put poison in his soup for example. My instruction was to determine which chemical and biological weapons could be used against him and to protect him against such attacks.

MR VALLY: And who was involved with you in determining this? Which specific people in your team?

DR BASSON: We're now talking about the early '80's, I can't remember, it would have been a group of scientists selected from these specific organisations, Roodeplaat and Delta G and whoever else was involved with this. I have reason to believe there may have been some of the researchers from Protechnic who were involved and there were certain analytical laboratories. We involved certain universities where the capabilities were. I don't have the necessary documentation anymore and I'm not going to speculate about it.

MR VALLY: But all under the auspices of the Chemical and Biological Programme?

DR BASSON: Mr Chairman, I'm not sure what that question means. Can Mr Vally please explain it?

MR VALLY: Very simple. You were the Project Officer of Project Coast, later called Project Jotta which was responsible for the Chemical and Biological Warfare Programme of the South African Defence Force ...[intervention]

DR BASSON: The answer to that question is yes, the responsibility for Mr Mandela's security rested on my shoulders as Project Officer of the Chemical and Biological Warfare Programme insofar as it concerned a chemical and biological attack on him.

MR VALLY: I want to go to one thing. We have had an enormous quantity of documentation as you well know from the Section 29 Notice that you've been given, yet we've had Minutes of the Co-ordinating Committee Meeting which said that you were instructed to destroy these documents, are you aware of that?

DR BASSON: I did not see the documents, no.

MR VALLY: Are you aware of an instruction from the Co-ordinating Committee that you were to destroy the Technical and Management Reports after putting them onto optical discs?

DR BASSON: I am aware of that that during the course of the project on a regular basis documentation was destroyed after an audit process was completed and as it was decided by the Audit Committee and the Financial Committee that there was a two year period to finalise documentation.

Certain documentation was left over and we put that on disc and the documentation was destroyed, not necessarily by me, by the parties involved. I did not receive instructions to destroy documentation. I was just responsible to co-ordinating all the, or the composition of the scientific information.

MR VALLY: We are talking about the decision to put all the information relevant to the CBW Programme onto optical discs. Coupled with that the destruction of all other documents relating to the programme once the documents had been put onto disk. Are you aware of that instruction?

DR BASSON: I am aware that the documentation was destroyed but I was not responsible for that. I did not give an assurance or undertaking to anybody that all documentation was destroyed.

MR VALLY: Are you aware that there was a report-back to the Co-ordinating Committee that the documents had in fact been destroyed after the documents were put on optical disc?

DR BASSON: Can you give me the date of the report-back please?

MR VALLY: We can. It was in 1994 and I believe it was in March.

DR BASSON: In March 1994 I was not a member of the South African Defence Force anymore and I had no contact with the Co-ordinating Management Committee anymore.

MR VALLY: You had absolutely no contact with them?

DR BASSON: None that I attended formal meetings, not as far as I can remember.

MR VALLY: Weren't you involved in a number of meetings where you had to report on what happened to all the money which disappeared in Croatia?

DR BASSON: I'm not going to comment on the money which disappeared in Croatia ...[intervention]

MR VALLY: I'm not asking you about the money, I'm asking about your presence at the Meeting of the Co-ordinating Committee.

DR BASSON: Periodically I reported back on the request of individuals in the CCC.

MR VALLY: Exactly, so don't say you were not at Co-ordinating Committee meetings in 1994.

DR BASSON: I've attended no Committee meetings in a formal capacity, not as far as I can remember.

MR VALLY: And you may have attended in an informal capacity?

DR BASSON: I can't remember that.

MR VALLY: Well I put it to you that you did.

DR BASSON: It is possible, I can't remember.

CHAIRPERSON: Well it is not really being contested Mr Vally. He says he was no longer a member of the Defence Force but there were occasions when he had to attend and I think there is a qualification. It is not a total denial of contact with the relevant authorities. Could we get onto something else?

MR VALLY: You see General Knobel testified to us, he said that you reported to him and he was satisfied with your report because he reported to the Co-ordinating Committee that all the documentation had been destroyed. When I put to him - I'll read out to you what he said:

"The fact is that we know that Brigadier Basson advised you that he had destroyed all the technical documents".

"Absolutely, he also does at a Co-ordinating Management Committee meeting. And the fact we know he lied ..."

... this is referring to you. And General Knobel's response was:

"Yes, that's true"

DR BASSON: Mr Chairman, I want to make it clear once and for all ...[intervention]

MR VALLY: Let me continue please General Basson, Brigadier Basson, I'm sorry. I'm not sure if you still have your military rank. Let's call you Doctor Basson.

DR BASSON: General, General will be fine thank you.

MR VALLY: I'm sure. Doctor Basson, I go on to say:

"So he may have lied about lots of other things"?

and General Knobel says:

"That's also true"

Now there are Management Committee meetings in terms of which reports are made that these documentations have been destroyed. We have under oath, evidence from General Knobel wherein he said that you had advised him the documents had been destroyed. By virtue of the fact that these documents still exist he confirmed that you must have lied to him. Would you like to comment on this?

MR CILLIERS: May I just enquire, what is the relevance of this specific question? You've been trying to ask the question for about five minutes. I don't even really know what the question is, but what is the relevance of this aspect regarding the investigation you are busy with at the moment? On that basis I object to this question.

MR VALLY: Mr Chair, to enlighten my learned friend, the relevance of the question is simply to determine to what extent was General Knobel kept informed and honestly informed of various incidents, to what extent was the Coordinating Committee kept informed and honesty informed of various incidents and if General Knobel who was the Project Manager says that his Project Officer, Doctor Basson lied to him about the destruction of documents, the question is what else is Doctor Basson alleged to have lied about? I want to determine whether General Knobel's statement that Doctor Basson lied to him about the destruction of documents, what Doctor Basson's comment on that is.

MR CILLIERS: I can understand if you're asking him in which way did you mislead Knobel and why. Just ask a question which we can understand and which can be answered and will not take an hour to get to the question.

CHAIRPERSON: I take your point Mr Cilliers.

Mr Vally, if you could put questions that are more pointed to the witness.

MR VALLY: The question is very simply, General Knobel said that he understood it was your responsibility to ensure that the documents were destroyed, that you reported back to him that the documents were destroyed and by virtue of the fact that the documents were not destroyed, just in terms of the documents we have here, that you in fact lied to him. What's your comment on that.

DR BASSON: Maybe Mr Vally can address me as Brigadier/Doctor/General then we will all be right and then he won't have to ask over and over.

MR VALLY: You're not funny Doctor Basson, just answer the question.

DR BASSON: The fact of the matter is, it was never my instruction to destroy these documents. It's an Intelligence responsibility. It was never my instruction to report back that all documentation had been destroyed.

That instruction, and I can tell you that Military Intelligence still has documentation regarding this project right to the end. I had no control over that. I could not destroy that. All I did was, between the Defence Force and the contractor who put these documents, the data on the CD Rom, I was the intermediary and I assured them that the documentation was captured on CD Rom. I never gave anybody the assurance that everything was destroyed. It was not my task and it was not my responsibility.

MR VALLY: So Doctor Knobel misled us when he advised us of this?

MR CILLIERS: That is not the witness' function to decide who did not speak the truth, it is your function.

CHAIRPERSON: I think it's legitimate for him to say. No, no, I think that's a legitimate question. He's not asking for his opinion, he's asking if in his view - because I mean it's either he is lying or the General is lying.

MR CILLIERS: But he has given his answer, General Knobel has given his answer. Why should the witness now say that Knobel told a lie?

CHAIRPERSON: We ask that question every day in tribunals which are even more strict on how we should tender the evidence.

MR CILLIERS: With the greatest respect, he was not here when General Knobel said that.

CHAIRPERSON: He was represented.

MR CILLIERS: No, I was not present when General Knobel said that.

CHAIRPERSON: Well that was your loss, you should have been here or at least somebody should have been here.

MR CILLIERS: Well there wasn't, but the fact is ...[intervention]

CHAIRPERSON: Well it is being put - no, no, Mr Cilliers, no, I rule you out order. The question is quite legitimate. It can be put to him and the witness can say: "I don't understand that because I was not here" but you can't really object to the question being illegitimate.

MR CILLIERS: But he's telling you, with respect: "I did not say that to General Knobel because it was not my task" and the question had been answered.

CHAIRPERSON: No, it has not been. The one that he answered has not been.

MR CILLIERS: With respect, it is my submission to you that you cannot expect from a witness, the witness is here to give you the facts and not to say which of them are speaking the truth.

CHAIRPERSON: You are wasting more time Mr Cilliers, with respect. The question is allowed by me to be put to the witness. It is not prejudicial, it is legitimate. Let the witness reply to the question.

DR BASSON: I have no comment on what General Knobel said. I cannot speculate. I was not present when he said that. I stand by what I've said.

CHAIRPERSON: Your client is much more intelligent than you allow him for.

Mr Vally?

MR CILLIERS: I have never argued about that Mr Chairman.

MR VALLY: Doctor Basson, were you the Project Officer for the company which was given the contract to put the documents of the Chemical and Biological Warfare Programme on optical disc?

DR BASSON: I don't understand the question Chairperson. How can I be the Project Officer for a company? Can Mr Vally please ask me a proper question then I can answer it.

MR VALLY: Doctor Basson, I will read to you what was told to us by your colleague, Doctor Mijburgh while you were sitting in the audience. I want to know - sorry, I'm just finding the exact position in my notes where it was said: "Do you remember the contract whereby you had to put all the information acquired about Chemical and Biological Warfare onto compact discs or optical discs"?

DR MIJBURGH: "Yes"

"That was your company that was given the contract"?

DR MIJBURGH: Data Image had that contract, yes.

"And the information that you put on a disc, what happened to it, the source of the information"?

"The hard copies were destroyed, they were shredded"

"And who determined that they were destroyed"?

"No, there were people who worked for Data Image who did this"

"Did you ever see what was on optical discs"?

"No"

"Do you know of anyone who has seen what's on these optical discs"?

"The people who scan these things"

And I go on and I say:

"And Doctor Basson"?

"He was not involved in the scanning as far as I can recall"

And I asked the question:

"So he wasn't involved at all"?

And Dr Mijburgh says:

"No, he was part of that project in the sense that he was the person who gave the instruction"

And I asked:

"What date was this"

He says:

"1992 or 1993. I speak under correction, it could have been later as well"

I ask the question:

"The person responsible for that project you say was Doctor Basson"?

And Doctor Mijburgh answers:

"He was the Project Officer, yes"

And I go on:

"The Project Officer where all this information is put on optical disc"?

And he says:

"Yes"

I ask him:

"Through Data Image"?

And he says:

"Yes"

Are you saying that Doctor Mijburgh lied to us?

MR CILLIERS: Can my learned friend just repeat the question that leads him to the conclusion that there is a difference.

MR VALLY: I think Advocate Cilliers is really taking advantage now. I'll ask the question again.

MR CILLIERS: Then I'm going to do it.

MR VALLY: Very simply, were you responsible for the project in terms of which documents were destroyed and documents were scanned. Were you involved in a project in terms of which documents were scanned onto optical discs relating to the Chemical and Biological Warfare Programmes and were thereafter destroyed, as Doctor Mijburgh alleges?

DR BASSON: As Project Officer for Project Coast I handled a sub-project according to which time there was a contract was awarded to Data Image to capture the available documentation on CD Rom. Before this project was completed I left the services of the South African Defence Force. That project

surely was initiated near the end of 1992. In December 1993 I was asked to leave the South African Defence Force. My function were terminated in the Defence Force, if I remember correctly, on the 31st of March, for tax purposes and after that I had no contact with this project anymore. My successor, Colonel Steyn probably completed the project.

I have no idea what the project, how it was completed. I have never with my own eyes seen that CD Rom. I don't know even know that they exist because at that stage I was not part of the project anymore. I gave the instruction that it had to be captured. I had no arrangement in respect of any CD Roms. ...[transcriber's own translation]

MR VALLY: You have just said you're not even aware if they exist.

DR BASSON: That is the truth. I was not in the service of the Defence Force anymore when that project was completed. You must ask the people who were in the project at that time where they are and if they exist. I don't even know if they exist. I have never seen them because I left the Defence Force before the project was completed.

MR VALLY: Well we've got evidence under oath from both Doctor Mijburgh and General Knobel to the effect that the person who knows what's on those optical discs is you. Are you denying that?

DR BASSON: That is correct in the sense that I gave instructions that all information must be captured on CD Rom.

MR VALLY: I'm not talking what instructions, I'm talking what actually knowing what specifically is on those famous optical discs. Are you saying you do know?

DR BASSON: Chairperson, I'm going to say it now for the last time, there is no difference between Doctor Mijburgh's version and my version. Doctor Mijburgh said I gave the instruction, that is correct. I repeat, I was not present with the scanning of each document which was scanned. It was a vast amount of documentation and I didn't have time for that. Furthermore I was out of the service of the Defence Force when the project was completed. I don't even know when the project was completed.

You must ask the people who were involved with the project at that time. I have never ever had those CD's in my hand. I didn't even have a key for the safe. I wish I did then I would also be in the newspaper. I had nothing of those CD's. I gave the instruction that the information must be captured and gave instructions which information had to be captured. ...[transcriber's own translation]

ADV POTGIETER: Doctor Basson, did you at any stage confirm with General Knobel that this instruction was carried out?

DR BASSON: I did not confirm with him that this was carried out. According to my knowledge Colonel Steyn, I can't remember, it was a long time ago, Colonel Steyn receive those CD's and forwarded it. I don't even know - no, I can't say that, I suspect in which safe it would have been locked away but I did not have the ability to confirm. I've just said this was the instruction and according to me it was carried out. I did not have any individual control over the project.

ADV POTGIETER: So are you telling us that you reported to General Knobel?

DR BASSON: That is not what I said, I said I could not supply him with a final report even if I wanted to. I could have just commented to him in passing that it was successfully completed. I could not give such feedback because most of 1993 I was not even in the country and for a large part of 1994 I was also not in the country.

ADV POTGIETER: So in other words you say you could have said it to him in passing?

DR BASSON: Yes, it is possible, I can't deny that but I didn't not formally sign a paper and say: "I hereby certify that the instruction was carried out in full" because I couldn't do it. I never had that access or control. I wasn't in the service anymore. And for a great part of 1993 when the work had to be done I wasn't in the country. ...[transcriber's own translation]

ADV POTGIETER: No, no, I hear you what you say Doctor Basson. I mention it to you because my recollection is that is what General Knobel had told us. When he was confronted with this unique situation regarding the CD's he said that he had to rely on what you had told him and you couldn't blame him that he had to rely on people who needed to assist him and he still mentioned the examples of the case of Mr PW Botha's report which was not personally read by the Chairperson of the Commission, so that is why I'm asking you. So you say you never told him formally told him: "Look, this was completed successfully"?

MR CILLIERS: Advocate, I don't want to repeat the argument, I don't want to repeat it Chairperson, and members because we handled it this morning to a great extent. If I understand the attitude of Mr Vally correctly, he said that he

does not have a problem with the second part of the application which is that the record should not be distributed to other people, other than those who really need it, for yourselves that is.

His objection was against the first part, the in camera bit. That was his objection. So I am not going to waste your time any further unless you really want to hear from me with regards to the aspect of the making available thereof, for example to the office of the Attorney General or the Police who is handling the case or people who's got nothing to do with this case. I will limit myself to the in camera bit of the application, the first bit of the application.

I have already referred to page 33 of the law which gives you the capacity or the ability and you had insight into the statement of Ntsebeza, where he gave support to the counter application which was handed in earlier this week in the High Supreme court and he utters this as one of the things which the law assists the Committee with, to protect the right to silence or the infringement thereof. To make the infringement thereof lighter.

And also say that it is so important for your report that you hear the evidence and that you can deal with this properly and you can still protect his rights for example to have the hearing in camera. My submission is, I was not involved in the application, but my instructions are that it was also the basis of the argument of the Advocate who acted on behalf of the Committee at that aspect, it is with regards to the protection measures which are there and which lightens the infringement of the right to silence.

In the light of the protection of Section 33 and 31, this balance is that the public interest must gain priority, but Mr Vally now informs you that we are now at a situation where all the aspects which you want to know from Dr Basson, and these are the aspects he is specifically going to be charged with.

So that is going to be very prejudicial to him if it is disclosed or if it is going to become to the knowledge of the people who is going to prosecute him. I have already addressed you more properly about your right to silence, and there is a specific law in Section 35 of the constitution, the prejudicial aspect thereof.

I refer you to that. I also refer to Havenga which said that the disadvantage lies in the fact that you cannot force a person to show his hand before the time, and I am not going to waste your time any further. You know everything about those aspects.

But now we are in a situation, and we have now reached the stage where each thing Dr Basson is going to be asked about by Mr Vally, are aspects which

are contained in the charge sheet and it is very relevant to the charge sheet and he is going to be prejudiced by giving answers now which is given in public and necessarily it is also going to come to the knowledge of the people who are going to prosecute him.

It is naive to say by Mr Vally, that those people would not irresponsibly handle that. Surely you know that about the prosecution of Mr Nkabinde in Natal where they went so far as to in this time with the constitution in place, that person went and placed microphones or bugs in his cell to listen to the consultations he had with his Attorneys, so to rely on the responsibility of the Police only, is not a sufficient guarantee for the protection of the right to silence of Dr Basson.

Dr Basson is prepared to answer you with regards to all the questions which are put to him legitimately in terms of the court findings. He has not given me any instruction to the extent that he does not want to adhere to that court order, that is why - or answer the questions this morning, but with the greatest respect, the moment when you, or let me rather put it this way, that obligation is only towards you and the responsible people, and that does not extend to the general public where it will be disadvantageous to him.

My respectful submission is here that once again you've got to weigh the important things here. On the one hand you have to consider the right of silence and on the other hand you have to think of the public interest. The importance of the public interest is contained in the documents before the Judge Hlophe.

It was handled on the basis of the public interest and you as the Committee, you expire today so it is very important for you as a Committee to obtain answers to questions with regards to Project Coast and therefore we have to infringe the right to silence and that is why Justice Hlophe gave his judgment.

But with the greatest respect, a case was never put as a basis, neither in these documents nor in the argument of Mr Hlophe. But his rights are of such a nature that the rights of Mr Basson must be destroyed in order to satisfy the public's inquisitiveness, because if that was the basis to intervene into a person's basic rights, then there would not be place in our law for the existence of a right to silence because public curiosity would always be there.

In a lot of cases, its got to gain priority above the person's right to silence and with all respect, there would be no place in our law to the right of silence. Therefore it is my respectful submission that at this stage of this whole affair,

you would find a midway by destroying Dr Basson's right to silence, but also to protect him as best as you could.

The law provides for this. That is protection in terms of Section 31 and also in terms of Section 33. I cannot understand the basis of the opposition of my colleagues against such a request if you consider the prejudice.

As far as Mr Vally's attitude is concerned, and specifically with regards to the fact that he does not have a problem that you make an order that the record is not distributed, but he does have a problem with the in camera hearing.

The problem I've got with that is the one is destructive, because if the proceedings do take place in public, what does that help if you then make an order that the minutes are not distributed? All the media, all the people in the public heard what was said, all representatives heard what was said. I do not know if there are people in this audience who belongs to the South African Police, it is quite probable, and maybe officials of the Attorney General, but they will be justified to sit here and have the right to be here, so what does it help if you prohibit the minutes from being spread but the total, all of the public including these certain institutions, have and they will be able to see Dr Basson's hand at this stage, before the prosecution even started.

At this stage it is the application that it would, now it is only concerned with essential elements and you should protect him in the best way as you can, so this infringement to his right, which you are going to make, to give support to that. If you will still be in a position to do your job as you are supposed to do it, therefore my submission is at this stage, in camera please.

CHAIRPERSON: And Mr Cilliers, this is based as I understood, on the potential prejudice of Mr Basson in his criminal prosecution?

MR CILLIERS: I don't want to repeat the arguments of this morning because I am going to waste your time, but that is probably the most important, yes. Even though, I do not want to say that the proliferation area is falling away, but it is not potential disadvantageous, potentially disadvantageous to Mr Basson, it is definitely to his prejudice.

CHAIRPERSON: Thank you very much. Mr Vally?

MR VALLY: Thank you Mr Chairperson. Mr Chair whatever I say now, like my colleague, has to be heard in the context of the earlier argument this morning.

Firstly, public interest is not merely public curiosity. The whole social contract which is reflected in the working of the Truth Commission in that it is transparent and interacting with the public, in terms of discovering what

happened in the past, is much more fundamental and much more important to the creation of a new society based on truth and reconciliation, if the public is taken into the confidence of the Truth and Reconciliation Commission in seeing the processes by which we are arriving at the truth, are beyond reproach.

So the process is as important as the end result of the Truth Commission. Secondly, the whole issue of the right to silence in so far as the potential prejudice to Dr Wouter Basson, is an issue which was extensively debated both here within this hearing which the Committee has previously ruled on, and which was extensively debated in court. Our position remains the same, Section 31(3) of our Act and Section 35(5) of the Constitution adequately protects Dr Wouter Basson.

In fact you saw the kind of protection that Mr Sifiso Nkabinde had, regarding those invasions into his rights. Thirdly, there will be regardless of what the final decision of this panel is, whatever the ruling of this panel is, a final report drafted after having complied with Section 30 of our Act, in terms of which on the balance of probabilities, certain findings will have to be made.

Accordingly I repeat the arguments raised earlier today. The cases I refer to are the constitutional cases of (indistinct) v Levin and Nel v Le Roux, and I again request that the remainder of the hearing be accessible to the public and should it be necessary, we can make a specific ruling regarding the record of the proceedings, not being made available to parties such as the South African Police Services as well as anyone from the office of the Attorney General.

Other than that, I will abide by the decision of the panel, thank you Mr Chairman.

CHAIRPERSON: Mr Vally, just the point that Mr Cilliers made in regard to the distribution of the record, should the panel be inclined to refuse the application to hear the rest of the evidence in camera, would it make any sense to grant an order in regard to the distribution of the record?

MR VALLY: Yes Mr Chair, because this is the aspect which is of particular concern to my learned friend.

The point is that the protection that Dr Basson has in terms of Section 33(3) of our Act and Section 35(5) of the Constitution, still remains in tact. I have pointed out that it would be absurd for the Attorney General's office to in any way, have anything to do with this record. It will simply taint their own case.

However, if it is of concern to my learned friend, then there is no problem with such an order being made. Any prejudice, potential prejudice which Dr

Basson will suffer, has been taken into account by the relevant Sections of our Act and Constitution and therefore I do not believe that that argument has any basis. Thank you Mr Chairman.

CHAIRPERSON: What are the practical possibilities of the Attorney General or the South African Police Services being placed in possession of the transcript of these proceedings?

MR VALLY: I believe they are minimal. The arrangement is that we are in control of these proceedings and the transcribing agency, will need our consent before making the documents available to anyone else.

The Act is clear that our consent will be required and we could agree to release it publicly. However, in addition to that in terms of Section 33, you can make a specific order Mr Chairman, regarding the distribution of such record. Thank you Mr Chairman.

CHAIRPERSON: Thank you very much Mr Vally. Mr Cilliers, do you want to respond?

MR CILLIERS: Very briefly Chairperson. The contra application, I've got that here with me and I will make it available to Mr Vally if he hasn't got one in his own possession, there is not a single reference in that contra application, to the public's right to be present, but the totality of the basis of the application that there would be an infringement of Dr Basson's right to silence, and this was purely the fact that you as a Committee, for your own purposes, you have to write a final report in the nearby future, so you must get the answers from Dr Basson.

But there is not a single reference which I could find, in all those documents which centred around this need of yours, so it is on that basis that Justice Hlophe made that decision, and that it could be in camera and that the infringement would then be lightened. The negative results would then be excluded and with the greatest respect, I find it really strange that now that the order was received from Hlophe and also that Dr Basson is prepared to stay with that and to give you the Committee, the answers because you really need the answers for your report, now there is a further request.

Now the request comes it must take place in public. The totality of the protection which was tendered in the application, you want to make that non worth it, so it is my submission that the judgment of Justice Hlophe, he hasn't given it yet, we can't see, but it can only be that there is an absolute, it is absolutely necessary for you to hear the truth, that is you, the Committee.

It is on that basis that the application was brought in and it is my submission that Justice Hlophe's judgment would have been different if it was concerned with an open or closed hearing, and it is on that basis that I make the submission that you give complete protection to Dr Basson.

With the greatest respect, if we have a situation here where a person is accused and he must testify in front of you and he must say things with regards to the charges which is brought against him, and that he has a right to silence, if this does not move you to have the proceedings in camera, then I would like to say I would like to see an application which was successful, because here we have an absolute need to protect this person's rights. If this application is not granted, I would like to see the application that was granted.

Maybe I can just formulate this to you properly and if you know about what was going to be asked, firstly we asked that the proceedings happen in camera, and that everybody be excluded - everybody who does not need to know this, should be excluded.

The second application that no information should be made public regarding the evidence of Dr Basson. It should not be made available to any person insofar as it is necessary for the Committee in its official report, to possibly refer to the evidence.

I am not trying to limit you in your reporting and in the third place, this would include that prohibition on publication that this would include that it should be prohibited that the minutes of these proceedings whether it is a sound recording or a written document, that it should not be made available to any person outside this Committee who needs it for the preparation of their report with a specific reference to the South African Police and the office of the Attorney General. As it pleases you Mr Chairperson.

CHAIRPERSON: Thank you Mr Cilliers.

COMMITTEE ADJOURNS

ON RESUMPTION:

CHAIRPERSON: There is an application before us substantially in similar terms to one which was raised earlier today in these proceedings and that concerns the public nature or otherwise of the proceedings which up to now have been conducted in public.

The application is for the remaining testimony of Dr Basson which it appears to be common cause to a greater or lesser extent, would impact on questions that will arise at his criminal trial, his pending criminal trial, that those issues and the remaining testimony be taken in camera with a further

ancillary order prohibiting the distribution of a record of the testimony which is to be given.

The arguments have been presented to us at an earlier occasion. Many of the arguments have been raised when there was the initial application not to compel Dr Basson to testify at this stage, but to hold over that testimony until after finalisation of the criminal trial.

The submission in short of Mr Cilliers who again appears on behalf of Dr Basson, is based on what he refers to as the actual prejudice which Dr Basson will suffer in his criminal prosecution, should the remainder of his testimony be taken in public. He submits that the prejudice lies in the fact that the testimony which he will now be giving, will amount to disclosing his hand at this stage, and it could be used for the purposes of the prosecution, to his prejudice.

Mr Vally, who represents the interests of the Commission at these proceedings, has also restated basically his arguments which he had relied upon in opposing the earlier application which I have referred to of Dr Basson, not to be compelled to testify.

He submits that Section 31 of the Promotion of National Unity and Reconciliation Act which regulates the affairs of the Commission, taken together with Section 35 of the present Constitution, provide adequate protection for Dr Basson in regard to the pending criminal prosecution.

Mr Cilliers has referred in his arguments this morning, and in passing again when this application was made, to the danger of proliferation, but he has indicated that he mainly relies on the question of the prejudice in respect of the criminal trial, the pending criminal trial.

The panel is sitting under extreme time constraints, this is the last day of the work of the Human Rights Violations Committee. From the indications that have been given, there are quite a number of issues which Mr Vally still wishes to canvass with Dr Basson, so we are under the circumstances under pressure to respond immediately to this application.

We will therefore not give full reasons for the ruling which will follow, save to say that having considered the arguments addressed to us and having taken into account the provisions of Section 31 of the TRC Act as well as the provisions of Section 35 of the Constitution, which are issues that have been raised at the recent High Court application which was launched by Dr Basson in order to review the earlier decision of this panel to hear his testimony, in spite of the pending criminal trial, we are of the view that sufficient protection is provided for in the law as it stands, and that there are no reasonable grounds for

concluding that by hearing the testimony in public, which concerns issues which have already been largely canvassed through the testimony of other witnesses at these proceedings, in public, that Dr Basson would not suffer the actual prejudice which his counsel has submitted in his arguments to us.

Taking into account the public importance of the subject matter of this particular hearing, the importance of the testimony of Dr Basson in regard to the Chemical and Biological Warfare Programme, we are satisfied that there is no grounds for ruling in terms of Section 33 that these proceedings should be conducted in camera.

As an additional measure, which has been conceded by Mr Vally, we order that the record in the form of tapes, tape recordings or in the form of written notes, is not to be distributed to either the Attorney General who are engaged in the prosecution of Dr Basson, or in fact to any other Attorney General or to any member of the South African Police Services.

And just to amplify the last part of the order, the prohibition also extends to any video recording of the proceedings. That is the ruling of the panel.

MR CILLIERS: As it pleases you. At this stage, can I ask for a short adjournment please?

CHAIRPERSON: You have five minutes Mr Cilliers, we will stand down for five minutes.

MR CILLIERS: We will try to do it within five minutes.

COMMITTEE ADJOURNS

ON RESUMPTION:

CHAIRPERSON: Are we ready to start Mr Cilliers?

MR CILLIERS: Honourable Chairman, it is my instructions to tell you now that this ruling of the Committee which have just been conveyed to us by Adv Potgieter, namely that this specific ruling should be taken into review, and we are asking you to take this ruling in review.

CHAIRPERSON: What does that mean?

MR CILLIERS: It means we are going to accord to put this ruling aside, or to get a declaration that we should hold this in camera.

CHAIRPERSON: Now if we are talking process, do I understand you to be saying that you are making an application for these proceedings to be suspended, pending an outcome of an urgent application to be made to the High Court?

MR CILLIERS: Yes, that is so, yes.

CHAIRPERSON: Mr Vally?

MR VALLY: Mr Chair, there are two issues here which concerns me. One is if this happens, it will effectively ...

CHAIRPERSON: No, those are the merits, do you oppose ...

MR VALLY: Oh, I beg your pardon. I would strenuously oppose this matter standing down, simply because this is our last day. It will effectively put an end to this particular hearing.

CHAIRPERSON: Mr Cilliers, do you want to say anything in support of your application? I must say without even hearing you, there is an inclination on the part of the panel, to refuse your application, but we may be persuaded by anything you might say.

MR CILLIERS: Honourable Mr Chairman, all I can say is with the greatest of respect, there is serious prejudicing of my client. You have made a ruling and with respect, a person not only in the position of Dr Basson or in any circumstances where a tribunal makes a decision, has a right to take this decision or ruling on review, where he is prejudiced by this specific ruling.

CHAIRPERSON: You see, we have made a ruling and I think what you are saying to us is that we must grant you leave, that is the essence of your application, you want us to grant you leave to take the matter on review?

MR CILLIERS: No, I am not asking for your permission to take it on review, I am telling you I am taking it on review. I want you to stand down these proceedings until I have taken it on review.

CHAIRPERSON: That is the leave you are seeking, you are seeking - I mean you are not in charge of these proceedings. You are asking us to allow you to take the matter on review and that pending that, this proceedings should come to an end. The issue for us to decide is whether we are persuaded by anything you say, that these proceedings must be suspended or stand down pending the outcome of that and that is the issue before us.

I am seeking your assistance as far as that is concerned. Do I understand the process, just the procedure is going to be that you are seeking our indulgence in relation to which we must rule, that pending because these proceedings are in process, we have made a ruling, we are about to take evidence from your client.

Your client is of the view that we have decided wrongly and you are then saying you want to approach Court as a matter of urgency, by all means, you can. But what I am saying to you these proceedings are not going to be stopped whilst you are going to court.

The only thing that can stop these proceedings from going ahead, is a court order which will be placed before me, which suspends this, pending a review.

MR CILLIERS: The problem that I have with that, in order to get that court order, I have to get or to make a statement, to file a statement with Dr Basson's involvement. I don't want to get into an argument regarding that.

In order to obtain that legal assistance, I require Dr Basson's instructions and with the greatest of respect, we can become involved in a verbal battle, but I cannot exercise that right to review, without Dr Basson's instructions.

If you decide that this questioning continues and refuse to give Dr Basson, he is here on order, or to excuse Dr Basson, you de facto deny him the opportunity to obtain that order. And with the greatest of respect, you make negative the effect of the order.

Say for instance it takes half an hour or an hour to obtain such an order, and we obtain such an order, there is a situation that for half an hour, or an hour, the questioning has continued, and the prejudicing has occurred irrevocably.

CHAIRPERSON: Yes, it is because you know, I think the panel is of the firm view and they are prepared to take the risk of whatever decision may be arrived at, we have a Court's decision, we have a Court order, we may not have the recent judgment, that says all the things that you have said which were forming the basis of your submitting that your client will be prejudiced, if these proceedings go on in public, and we remain unpersuaded that anything you have said, and anything that might be said in support thereof, is likely to upset the decision and the conclusion that we have arrived at, namely that there will be no prejudice and therefore that the proceedings should go ahead.

The only issue that I thought I might be hearing on, is whether or not you have any compelling reasons why we should suspend the proceedings. You have now addressed me on that.

I remain unpersuaded. I don't even consider that any Court acting reasonably in the light of the history of this matter, will be persuaded by anything you say in support of the position that you take.

MR CILLIERS: Honourable Chairman, I have told you what my submissions are, specifically that in fact you destroy the right, should we succeed with an urgent application, even within half an hour, you have totally destroyed the right which should be protected. I can't take that any further.

Must I infer from that that your attitude - if my client wants to answer the questions ...

CHAIRPERSON: He must do so. If it is going to be in camera, that has been refused, we have made a ruling in relation thereto.

MR CILLIERS: My instructions at this stage is that my client will not answer questions before the review procedure.

CHAIRPERSON: That is his choice. We have now made a ruling. If he chooses not to answer questions, that is his choice. Maybe we will go home faster than we thought we would be.

MR CILLIERS: That is his choice.

CHAIRPERSON: That is his choice and Mr Vally will be instructed to go ahead and the record will show every time that he is refusing to answer any questions put to him, that he is refusing to answer questions lawfully put to him. That is the road we shall all go.

MR CILLIERS: That is my client's choice after he received advice in this regard, that is his choice, yes.

CHAIRPERSON: Mr Vally, I have ruled in your favour, unless you don't appreciate it?

WOUTER BASSON: (still under oath)

MR VALLY: I beg your pardon, we are just gathering out thoughts as to where to start.

Is there any scientific basis whatsoever, for your belief that dagga, cocaine, mandrax or ecstasy, could be used as incapacitants?

MR CILLIERS: Mr Chairman, as I have already indicated, my instructions are - do you want Dr Basson to repeat it every time, he is not going to answer the questions until we have received this review.

CHAIRPERSON: I understood that the basis of your application in relation to which we made a ruling, was that I was not here, but I understood it from my colleagues that you were objecting to questions that have relevance to criminal proceedings that might be brought against Dr Wouter Basson.

I didn't understand that your application was objecting to any and all evidence that might be obtained from him and I do not know if this question is one that is ...

MR CILLIERS: With respect, that happened during the time that you were not here. Mr Vally indicated at that stage when I launched my application, that he had no other questions than the questions relevant to the charge sheet. We are in the situation where we have tried to assist by saying that the questions which were posed regarding CR Gas, we will answer.

CHAIRPERSON: Okay.

MR CILLIERS: And I want to put it clearly, if Mr Vally has questions not relevant to the charge sheet, we are prepared to answer those questions, but Mr Vally told Mr Potgieter that he had come now to the end of that road.

We have come to the situation you foresaw this morning, when we said we will play it according to the ear. Unless he changes now and says he has questions, we are at that stage where my instructions are that my client will not further answer any questions.

CHAIRPERSON: Can I then ask you as a matter of process, acknowledging that I have heard that that is what you have instructed your client, he is on the stand. We have ruled that he must answer questions.

Now I understand that you have instructed him to say, you have advised him that he must not reply to any questions. I think to the extent that he is on the stand, we require that he should do so.

MR CILLIERS: Mr Chairman, the position is, I have already said my instructions are, my client is willing to answer Mr Vally's questions, all his questions, inasfar as it is not related to his charge sheet.

Mr Vally said that he doesn't have any questions like that, it is only aimed at questions being mentioned in the charge sheet according to which my client can be prosecuted. He has to appear in court on those counts on Monday.

My client is not going to answer those questions, depending on the urgent application.

CHAIRPERSON: Yes, I understand you very well Mr Cilliers, that is why I therefore say you have given your client that advice. I want him to exercise that advice, he must on the record under oath to say the things that you have advised him, because there are consequences.

MR CILLIERS: My client is not going to put on record which happens in consultations. What he is going to tell you is that at this stage, he is not going to answer questions, pending on the finalisation of the review application.

CHAIRPERSON: Mr Cilliers, you are a colleague and as such you are an Officer of the Court. I don't want you to be testifying on behalf of your client. We have heard you and we appreciate your assistance.

Now a question has been put to your client, you have done your duty which in terms of the ethics which govern our profession, you are inclined and indeed obligated to give to your client. Let your client exercise the benefit of your advice.

MR BASSON: Mr Chairperson, in answer to Mr Vally's questions, I want to declare that this morning I have indicated clearly that I am willing to cooperate with the Commission.

The last few days I have shown my respect for the Committee and its activities. Within certain limitations regarding legal assistance which was not available, and when I obtained legal assistance, I was willing to cooperate within the imminent peril which I am experiencing, namely the prejudicing or the infringement of my rights.

Should these proceedings continue in a public court, I will be prejudiced. I have seen the documentation provided to the press and this will cause problems overseas, and I can see that in the foreseeable future, they will be in the same circumstances as I am, overseas.

CHAIRPERSON: Dr Basson, please recognise that I am still in charge of these proceedings please.

MR BASSON: I am trying to answer your question Chairperson.

CHAIRPERSON: When I draw your attention and interrupt you, I don't mean to be rude, I only - I am meaning to do that which I can only do as a Presiding Officer. A simple question has been put to you, if on advice, it is a question you are not prepared to reply to, on advice of your lawyers, say so.

MR BASSON: Mr Chairman, if I don't pay attention to your interruptions, it is not because I have disrespect for you or not accept your guidance, please ascribe it to my anxiousness to answer the question as best as possible.

After careful consideration and legal advice, I am not willing to answer questions which are related to those charges by the Attorney General and I cannot answer such questions. I cannot answer this question.

CHAIRPERSON: Let the record show, that on advice given to him, Dr Wouter Basson refuses to answer the question put to him by Mr Vally. Mr Vally?

MR VALLY: Mr Chairman, just for the record, we have not seen any charge sheet. What we do have is a letter from the office of the Attorney General which has previously been read into the record, dated the 3rd of June 1998, which talks about provisional charges, which are being investigated against Dr Wouter Basson.

CHAIRPERSON: Charges which may or may not be brought? I think that document does say so?

MR VALLY: Well, it says in the last paragraph Mr Chairman, "that it must be emphasised that these are provisional charges which are being investigated.

It is possible that at the conclusion of the investigation, some of these charges may not be preferred against the accused. It is also possible that further charges may emerge." That is from Dr J.A. d'Oliviera, Senior Counsel, Attorney General of the Transvaal.

I did indicate to my learned friend in accordance with our agreement this morning, that if there are areas that he is concerned about which may intrude upon the area of potential charges, we would then address argument to the panel. In that context I have indicated the issues that I wanted to raise.

My learned friend was of the view that these impinged on the charges. I haven't conceded that these were related to the charges. Our investigation is independent thereof, but as I said not having seen the charge sheet, my learned friend may be correct.

However, at this stage Mr Chairman, I can continue asking questions, alternatively I would require a ruling from the Chair, as to whether we should simply proceed to lay criminal charges or to bring an application to get Mr Basson before Court on a charge of contempt of the ruling in the Cape Provincial Division of the High Court. Thank you Mr Chair.

CHAIRPERSON: Are you wanting time to consider your options Mr Vally?

MR CILLIERS: Can I just provide additional information to Mr Vally. I was not involved personally in this discussion ...

CHAIRPERSON: I need to give you time that you can ascertain all of those things. These proceedings are going to adjourn for ten minutes. Mr Cilliers and Mr Vally, confer with each other, find exactly what issues you think can still be canvassed.

Mr Vally consider your position and your options, and you must assemble here not later than twenty five past three.

MR CILLIERS: Thank you Mr Chair.

COMMITTEE ADJOURNS

ON RESUMPTION:

CHAIRPERSON: Where is Mr Vally? Are we ready to start? Mr Vally?

MR VALLY: Yes Mr Chair. Mr Chairperson, I think we should proceed with asking ...

CHAIRPERSON: If we can close the door to these proceedings please.

MR VALLY: ... questions of Dr Basson in line with the ruling of the Chairperson. I must apologise to my learned friend, I didn't come back to him after we came back in, but there was nothing to add to our informal discussion.

Dr Basson, there was a question I had posed to you, if you had any scientific basis whatsoever for believing that dagga, cocaine, Mandrax or ecstasy could be used as incapacitants?

MR CILLIERS: Honourable Chairman, with respect, I don't want to waste time unnecessarily ...

CHAIRPERSON: That is the prerogative of this Chairperson, whether we waste our time, it is our prerogative. This witness is now testifying, we have heard all your objections Mr Cilliers, we have ruled in the light of all the positions that you took.

The time now has come for Dr Wouter Basson to testify or to exercise his rights in line with your advice to him.

I actually order him to answer the question in any how. It is an order, it is a ruling.

MR CILLIERS: Honourable Chairman, the answer he is going to give is a standard answer.

CHAIRPERSON: No, no, you are veering on content. You are veering on content. With great respect, you are an Officer of the Court, we have made a ruling, he is the one who is testifying.

He is the one who is testifying, don't testify on his behalf. We have had a cordial relationship thus far Mr Cilliers, I would like to maintain it that way with respect. I am not trying to curtail your rights as an Officer of the Court, but we have made a ruling, let's go through the motions if this is what you see it as. I am quite content to go through the motions.

Dr Wouter Basson, could you answer the question please?

MR BASSON: Mr Chairman, my answer remains the same as the previous answer, I have nothing to add.

CHAIRPERSON: So, I take it that you refuse to answer the question?

MR BASSON: Mr Chairman, I have said I want to cooperate, but find myself in a position after careful consideration and advice, I cannot answer any further questions, until I have had a chance to review the decision regarding the in camera hearing.

CHAIRPERSON: Let the record show that Dr Wouter Basson refuses on the grounds given, to answer the question put to him by Mr Vally. Mr Vally, do you have any more other questions to put to Dr Wouter Basson?

MR VALLY: I do Mr Chairperson.

CHAIRPERSON: Please put them.

MR VALLY: Dr Basson, you have previously been given a document called TRC52 and you have also been given an affidavit by Dr Immelman.

I put to you that TRC52 read with Dr Immelman's affidavit, clearly indicates that you were involved in attempting to murder people by usage of toxins concealed in every day substances such as beer with thallium as set out in TRC52, whisky in paraquat, acid in whisky and even more ominous, that cholera was cultured on a large scale on your instructions, for usage by agents. That you as number one Project Officer and number two, as the person who directly was responsible for giving instructions to Dr Immelman, are responsible for all these dastardly toxins hidden in everyday substances. What is your response to that?

MR BASSON: Mr Chairman, ...

MR CILLIERS: May I at this instance, I don't want to create the impression that I am prescribing to the witness, but if we are going to do it question by question, I am sure that there will be questions that can be answered.

May I then after each question, indicate to my client when I think this will fall outside the extent of his problem? But according to me, my client can answer this question without the previous problem, but I don't it to appear as if I am giving him the answers.

May I please advise him after every question, whether I think - you don't have to adjourn, five seconds will be enough, and then to advise him. We are in a difficult position, but it seems to me that he can answer this question.

CHAIRPERSON: Mr Cilliers, I remarked earlier in the day that your client is far more intelligent than you give him credit for. He was beginning to answer this question, because I think he appreciated it is one of those questions that he can answer without prejudice. I take your point however.

MR CILLIERS: I want to make it clear that if I will speak to him, Mr Vally previously commented ...

CHAIRPERSON: As long as you don't testify in his place.

MR CILLIERS: As it pleases you. What I am going to do after each question ...

CHAIRPERSON: No, not after every question. I think there are questions which it will be palpable he can reply to like the questions that he has been replying to all day long, and all you can do, is to say can I object to that question ...

MR CILLIERS: I don't want to object to a question, I just want to advise him that you can answer this question.

CHAIRPERSON: Can we limb on and we will see how it goes?

MR BASSON: Mr Chairman, I categorically deny that I was involved in the execution or planning or preparation of any substances with the wilful purpose to do any harm to any person.

Regarding the cholera Mr Vally mentioned, it is one of the points I want to emphasise, is one of the weak points of the Investigative Unit. Just to allege that I would have used cholera to kill anybody can be verified within five minutes. Mr Vally, can go out of here and contact the Department of Health, every cholera case is written down right through the world, and I want to bring it to your attention that in the last 20 years, not one case of cholera was made known and the last cholera epidemic in South Africa was in 1985/1986.

Since then, there were not 15 cases of cholera in South Africa per year. Mr Vally, he repeatedly mentioned this genocide and I want him to ask him where did that happen? Every case of cholera in South Africa, is recorded by the World Health Organisation and they can identify the origin of every cholera bacteria.

There is a certain Epidemiological handbook, textbook and as from Egypt to Mozambique, they can trace this. So I deny this.

CHAIRPERSON: You see Dr Wouter Basson, that may well be so, that may well be so, that may be the conclusion that you are able to come to.

Our enquiry is not so much whether in fact that did happen, I think our enquiry is whether there was a plan to do that, and you are speaking to the person who unfortunately is a lay person as far as medical things are concerned. You will forgive me if I am one of those who will be gullible when I hear that this was the plan, and I think this is what this entire exercise is intended to do.

You may not realise it, it is intended exactly for you to be able to give those sort of erudite explanations you are giving, for the benefit not only of the public, not to take everything that they have heard in these proceedings, but also for your benefit. You are not only saying look, I didn't do it, you are also saying it was not possible to be done.

When the proposition is being put to you, you must understand it is put to you in context. It is put to you in the context of evidence that has been led by other scientists or medicals like you, but also there is a suggestion that there is documentary evidence that seems to back that up.

I think that is the point of the exercise.

MR BASSON: Mr Chairman, I have the biggest respect for your intelligence. If I thought you did not understand, I would not have said anything.

What is causing a problem is that this Investigative Unit could have easily gathered the information.

CHAIRPERSON: No, no, leave them alone. You are now being asked by these gentleman here, and you really can say look, you have been misled Mr Vally.

MR BASSON: Then I am saying at this instance that they have been misled. In the Southern African context, it is impossible to use cholera to kill masses of people, or even just a few. Cholera is not such a kind of illness.

It is very easily traceable and it is very easy even to determine where the cholera bacteria came from. You can even say from which area it came. I have studied through the years, but not with the purpose of using cholera.

In essence the Department of Health is willing to go so far as to say that why there has never been cholera in Namibia and remember the Shonas in South Africa are well suited to cholera, but why there was no cholera is because the South African Defence Force was there, because they saw to it that the local population obtained clean water, they were aware of the dangers of dirty water and where there were people who carried this disease, they had to be treated.

So what we achieved, was absolutely the opposite.

CHAIRPERSON: Mr Vally?

MR VALLY: Dr Basson, this is amazing. This evidence you are giving us now. Firstly, factually you are incorrect. There have been recorded instances of outbreaks of cholera throughout the African continent in the last 20 years, as have appeared in Medical Journals.

I will ...

MR BASSON: Mr Chairman ...

MR VALLY: Dr Basson, I am not through. Do you mind? Secondly, we have had evidence at our Medical hearings, to the effect that the South African government has concealed outbreaks of diseases for public relations purposes and thirdly, we have had enough evidence before this Commission, that the government at a very high level, allegedly going up to the President himself, was engaged in activities which were grossly unlawful and involved human rights violations. So to pretend that this government has been pure in its motives, is absurd.

What I am proposing to you number one, is factually it is incorrect to say there have been no cholera outbreaks and secondly, where there have been cholera outbreaks or disease outbreaks in South Africa, the government has hidden it. Will you answer those two questions please?

MR BASSON: Yes, I will. Mr Chairman, Mr Vally should listen to what I am saying. I did not say there were no cholera epidemics in Africa, I said in those areas where the South African Defence Force and the Security Forces had a specific interest, there were and there are no cholera outbreaks.

What I have told him, and he is not listening, is that every one of those epidemics were recorded and in each of them, the origin of the cholera was identified. Three months ago for example, the Department of Health - they have a Epidemiological Report which they bring out every three months, it is very clear that there are no cases in South Africa, no cases in Angola.

In Namibia for example, there were mission hospitals where the staff were antagonistic against the government. The troops could not get near to those hospitals. Those nuns and nurses, they recorded those diseases if there were any cases.

So, during those years, they recorded rabies for example. Mr Vally has his facts wrong, and he must get his Investigative Team to ascertain these facts.

Number two, it would not have been in the ability of the South African government to cause the outbreak of cholera or to hide the outbreak of cholera in any of the regions.

CHAIRPERSON: Mr Vally?

MR VALLY: I will draw Dr Wouter Basson's attention to the affidavit of Dr Immelman. I want to draw your attention to paragraph 15 of Dr Immelman's affidavit.

He says specifically, paragraph 15 and I loosely translate, at a stage I was worried about the lawfulness of our actions. Dr Basson assured me that the projects were approved by the State Security Council.

He let me understand that I would not be involved if the toxins were inappropriately used, I assume? I will leave out the next sentence because it is not relevant. He goes on, he told us on a number of occasions that it is not the weapons dealer who is responsible if a person who buys a revolver, acts irresponsibly with the revolver.

Dr Immelman's affidavit as a whole clearly indicates that you, personally, instructed him to manufacture a number of these substances set out in TRC52. How do you respond to that?

MR BASSON: I deny without any doubt, that I gave Dr Immelman the instruction to manufacture any substances or to prepare them with the purpose to cause severe bodily harm or death in any individual, organisation or place.

I would like to tell you with regards to Dr Immelman's statement, that I ever mentioned the State Security Council, it is not true.

With regards to the discussion that we had about the inappropriate use of this, the fact was there were poisons available at Roodeplaat like you will find at any laboratory at any university, because these are used chemicals and they are available in laboratories.

If they are used in a wrong sense, that meaning to make someone else ill or to hurt someone else to achieve another goal than the chemical reaction, then I put it very clearly to him, that no one can be held responsible if it is used in the wrong manner. If somebody broke in there and stole those things and did something with it, he cannot be taken as responsible for that, as long as he adhered to the safety measures, security measures.

MR VALLY: How do you explain that the person who in fact prepared the cultures of cholera, in fact went so far as preparing 26 bottles of the cholera culture of 10 ml each and this is Mr Odendal or Dr Odendal and when he was asked the question -

"Were you aware that you were producing a substance which could potentially cause a serious epidemic?"

he answered -

"When I got the request to produce this organisms ..."

...I am sorry, I am reading exactly as it is written, so the grammar may not always be right -

"...you must remember that the idea stuck in my mind, that in the first case it was to be used for testing purpose and in the second one, you know, there were hints that this could be used in the war situation in Angola and it never crossed my mind for one moment, that it could be used internally in our own country, because to use organisms or to spread organisms in your own country, is a very risky thing and it doesn't go along with the Convention of Biological Warfare that you do not produce these things to use on your own territory."

MR BASSON: Chairperson, I do not understand this question. That is what I am saying. I understand Dr Odendal's statement completely and his answer is correct.

It is possible that you can cause epidemics with these things, in very rare circumstances. I would like to tell you to create an epidemic by using something like cholera, is almost impossible.

CHAIRPERSON: No, no, except that what that seems to suggest, what he has been reading, he says he has been reading the evidence of somebody who has testified.

MR BASSON: Yes.

CHAIRPERSON: What it seems to suggest was that cultures were produced.

MR BASSON: Yes.

CHAIRPERSON: But he says he doesn't think that they could have been intended to be used internally?

MR BASSON: Yes, I agree.

CHAIRPERSON: And yes ...

MR BASSON: I agree fully with Dr Odendal's statement, I think it is a sensible statement. I think later on he was by means of Mr Vally's questions, he was led to say that he thought that, he thought whatever he did - I don't know what is going on in Dr Odendal's head - the fact of the matter remains, these cultures were not used to do anyone or any organisation harm. There is no evidence of that, there is no record of that and there weren't any other plans either.

Me and Gen Knobel went to great effort with the Independence of Namibia to go and speak to the Swiss Surgeon General in Windhoek, where he was responsible for the medical support for the Untag Forces who were working there, and we took the responsibility on us to keep them up-to-date of the threats of the people coming back, I would say refugees or people banned from the country, who went to live in other countries.

We advised them about what type of programmes with regard to medical treatment and the prevention of illnesses, they should take in Namibia to ensure that no strange epidemics happen or take place. Some of that information there we gained from doing research at Roodeplaat and other investigations we led, gave us this information.

CHAIRPERSON: Mr Vally?

MR VALLY: Dr Basson, I have a document issued by the Department of National Health and Population Development, entitled Epidemiological Comments, are you aware of this document? You are?

MR BASSON: Yes, I am.

MR VALLY: Talking about cholera in South Africa, November 1990.

MR CILLIERS: Chairperson, can I just learn from Mr Vally, is this document in one of the Bundles, because I don't think I have ever seen it?

MR VALLY: I am afraid that this wasn't, we will immediately make it available to my learned friend. I need to pose the question, we don't have questions of it and I will pass it on to him, right now.

MR CILLIERS: I think the answer of my client is that he did not see this specific document, it sounds like it is the same document which is distributed every few weeks, so he knows the type of document, but not that exact document.

I don't want to be obstructive, but it is not fair that my client is being questioned with regards to a document, concerning all the problems that we have had, and he has never seen this document. It is not fair to ask him about that.

Even if he only brings the document so we can look at it for 30 seconds, then maybe we can help him out if he wants to ask questions about it.

CHAIRPERSON: Mr Vally please.

MR VALLY: Mr Chairman, I have no problem. Do you just want to see the specific points I am making reference to or the document as such?

MR CILLIERS: I think he should give us the whole document, but he must also point out to us to what he is going to refer to.

MR VALLY: Precisely, what I will do is, I will put the proposition set out in this document to Dr Wouter Basson and then hand it over to him to look, because he made some very strong comments about the outbreak of cholera.

MR CILLIERS: I am happy with that.

CHAIRPERSON: I think of course they will reserve their right to say if it is so, but the proposition does not actually emanate from the document?

MR VALLY: There are too many for me to go through all, but I will go through a few. The document is called Epidemiological Comment published by the Department of National Health and Population Development, for example the November 1990 copy and this is in Afrikaans, it says there were approximately 25 000 confirmed cases of cholera in 1987 in South Africa.

I talk about the same magazine or extract, dated March 1991, a journal, I beg your pardon, the Journal dated March 1991 and it says on the 7th of February 1991, six provinces in Mozambique were declared as infected areas by the World Health Organisation in the weekly Epidemiological Record, and they list a number of deaths as a result of cholera.

They even have a table here. You must warn me when to stop Dr Wouter Basson, when you are convinced that I had ...

MR BASSON: Please go on, I would like to see you hanging yourself, go ahead.

MR VALLY: I beg your pardon.

MR BASSON: Please go on, I would like you to finish what you are saying.

MR VALLY: Fine. There is evidence of cholera outbreaks in Kangwane and there is evidence of cholera outbreaks in Mozambique, and this is in the same Journal, dated January 1992.

The same Journal dated August 1993, outbreak of cholera in the Hlabiza Health Ward, Zululand. We have October 1994, the same Journal, the number of cases reflected here from the page I have seen, is something like 1 968 cases.

Same Journal of October 1993, it says a number of bacteriologically proven cases of cholera reported in the Republic of South Africa on the 1st of August 1982 to 31st of July 1983 by the week, and we've got in Natal alone, 3 767, Eastern Cape, 16, Kangwane 105, Free State 30, Southern Transvaal 159, Northern Transvaal 344, Lebowa 21, KwaZulu Natal, this time it just says KwaZulu, I assume they meant the self-governing territory 3 196, total 7 638.

Are you satisfied yet, do you still want me to continue?

MR BASSON: That depends on how much time you have to waste.

MR VALLY: Dr Basson, you made an assertion that I was factually incorrect. I will supply you with these documents right now.

MR BASSON: I stick to my assertion and I would like to tell the Chairperson that I am finding myself in a position now that if you were a final year medical student who gave me this, I would have failed you.

There is new literature, three weeks ago there was a complete Epidemiological Report on cholera. I am standing on the facts that I am giving you, there was not an outbreak of epidemic proportions after 1986 in South Africa. It is evident that Mozambique has always been a cholera area and if you look at what the literature says, those outbreaks of cholera can be taken back all the way to Northern Africa, back to the bacteria that was responsible, it could be traced back to North Africa and you can also find the way that bacteria has walked all through Africa.

Not one of these outbreaks of cholera is inexplicable. If Mr Vally made the effort and read further, he would also see that the Department of Health in each of those cases in the old times, they could explain where they were coming from, which tribe was involved and how it ran its course. So since 1987, according to the newest information, and that is a month ago, which is handed

out by the Department of Health, there has not been more than maybe 16, maybe 20 cases of cholera in South Africa annually.

Mozambique has always been a cholera country after the cholera was brought to Mozambique from North Africa. So if Mr Vally wants to suggest that I took cholera to Northern Africa in 1980, I would say the project hadn't even started then.

The history of cholera in Africa is very well described. This specific cholera cultures to which he is referring, I imagine it must have been 1988, 1989 it can have no relevance to anything which happened in 1983 and even less so, if anything had happened in 1982, 1983, 1984, 1985, and once again, I want to conclude by saying that the Department of Health, every case of cholera outbreak was investigated by them to their satisfaction.

There is not one unsolved case.

MR VALLY: I think this argument is absurd by Dr Basson, because he did not expect us to be prepared for him. I want to show all those documents which he has, including this last one, signed by the Director General, Department of Health and Welfare, on the 30th of January 1984, which talks about outbreaks of cholera, cholera 1, 2 133, cholera 2, 3 949, cholera 3, 1 264, cholera 4, 489.

In addition to that, we have got evidence having discussed it with the foremost experts in this country, and I refer to Prof Forder and Prof Margaretha Isaacson, we've got evidence in black and white, issued by the official State agency and for him to now try and contradict that based on his own knowledge, when there are allegations that he was responsible, ultimately for giving instructions for the culture of approximately 260 ml of cholera to be produced, at RRL, which the person who produced it, says could cause a major epidemic, and then to be caught out regarding the outbreaks of cholera as has been shown in these documents, I think he is trying to cover himself Mr Chairman, and I don't have anything further to add on the cholera issue.

Thank you Mr Chairman.

MR BASSON: Mr Chairperson, I make an objection to his statement that I did not think he would be prepared. I have just proved that he is not prepared. There is nothing in these documents which have any connection to the cholera which was cultivated at RRL.

Those cultures were tested, the genetic composition of those cultures are known and not one of these cases, this last epidemic he is talking about, that is in 1987 and I admitted that, I haven't denied that. That was a South African epidemic, yes, but in 1987 and that is not inexplicable epidemic. The studies

are clear. I do not know when is the last time he spoke to Dr Isaacson, but I spoke to her two weeks ago and she even then said to me, that she is of the opinion that the reason why there isn't any cholera is because the Defence Force was there to keep the water clean in South West Africa.

She mentioned how surprised she was about the fact that there had never been cholera in Namibia, so what Mr Vally is now accusing me of, I am not sure, I don't understand. Everything I am saying, he is confirming. I told him there was only an epidemic in 1987 and not one after that.

I also said that there were areas in Africa, but I would like to tell you that each of those epidemics was well investigated and researched. The WHO was involved as well, because it was a world problem, it is not only an African problem.

To insinuate in any way that a human hand had anything to do with these outbreaks in Mozambique or wherever, is nothing but scientific absurdity.

CHAIRPERSON: Mr Vally?

MR VALLY: Dr Basson, do you know TRC52 at all, have you seen it before?

MR CILLIERS: At this stage, can I just give a short word of advice with regards to the answer to this question.

CHAIRPERSON: Whether he has ever seen TRC52?

MR CILLIERS: No, if he should answer the question or not.

CHAIRPERSON: There is not question that has been - has he seen it? Do you want to advise him as to whether he must admit seeing it?

MR CILLIERS: Don't turn my words around. I want to tell him whether he should answer the question or not.

CHAIRPERSON: The question says, have you seen. I also want to get some clarification, are you asking for me whether you should advise your client to answer or not to answer a question that says have you ever seen?

MR CILLIERS: Yes.

CHAIRPERSON: Go ahead.

MR CILLIERS: Thank you for the opportunity. The advice, I would also ...

CHAIRPERSON: No, no, it is privileged.

MR BASSON: Mr Chairperson, this document was shown to me during the first bail application in January or February 1997. It is the first time that I saw that document.

MR VALLY: TRC26, have you seen that before? Sorry, have you got that before you? The heading is Payments of Coast Projects Fund Flow. It is in

Afrikaans and there is a number on there, which says 004732, have you seen that document before?

MR BASSON: I can't, according to my memory, no, I haven't seen this.

MR VALLY: Well, you were the Project Officer of Project Coast, weren't you?

MR BASSON: Chairperson, in this process 100 000 or more documents came, I had to look at all of them, so I cannot say that I have seen this document before.

MR VALLY: Well, you may say you are not sure, are you saying you are not sure or are you saying you did not see it?

MR BASSON: Can I repeat this slowly? I said I cannot say with certainty if I have ever seen this document before.

MR VALLY: I understand. So you can't be certain whether you saw it before or not? Do you want more time to look at it?

MR CILLIERS: Is this the whole document, because our numbers are very clear. If you can just give me an estimation of how many pages it contains?

MR VALLY: There are eight pages. I am only going to ask you about page 4733 and page 4735.

MR BASSON: That is correct yes.

MR VALLY: What is your answer now, now that you have had more time to look at it? Do you know this document?

MR BASSON: I do not recognise this document *per se*, but I do recognise some of the objectives which during the initial formulating of Project Coast, was put into place.

MR VALLY: Fine, let's talk about that because the second page is dealing with Objective Codes, is that a fair enough translation?

MR BASSON: That is close enough, yes.

MR VALLY: Look at 07, can you explain what it means? It says which I understand to be carrying out of Chemical and Biological Warfare operations, what does it mean?

MR BASSON: At that stage it had the implication that we were approached by several African countries to go and do certain verification operations for them, where there were accusations of the use of Chemical and Biological Warfare against people in Africa, then the international community often asked South Africa to go and do the investigations, because no-one else had the expertise or the capability to do that.

Like you have seen in the classical fiasco which the English caused in Mozambique. The use of chemical operations, is a verification operation.

Now let me explain to you what a verification operation is, if there is an accusation that a chemical attack took place in a specific area, and an amount of bodies were found, then troops must be deployed to secure that area.

After the area has been secured, specially equipped and trained troops who included Doctors must also be deployed in this area. After they have been deployed firstly, the first priority is the treatment of the patients. The second priority is the taking of samples in order to determine the origin or the type of the poison or organism and then also the analysing of certain weapons which might have been used in this way and therefore creating a relationship between the people and the weapon.

After this relationship has been established ...

MR VALLY: I am so sorry Dr Basson, we get the idea.

MR BASSON: I have not finished Mr Chairman, may I continue?

MR VALLY: I appreciate what you are saying, you told me and I will summarise it for you, we are under time pressure, you are called in by other African countries to analyse what toxins were used, whatever, to decontaminate or whatever.

MR BASSON: No, that is not what I am saying.

MR VALLY: Can you please summarise it for us, we don't have all day.

MR BASSON: Chairperson, at this stage I am trying to explain what is meant with this verification operations, and the fact was that they were very complicated chemical operations in order to protect our own troops and to help the neighbouring countries with certain problems.

This demanded a certain amount of training and equipment and capabilities, and as far as I know, ... (tape ends) ... and if you turn to page 475 and if you look under same code 07, and that says "Bedryf van CBO Ops", are these the people who were responsible for management of them or are these the actual projects themselves, what is that being referred to there? Do you see what I am referring to?

MR BASSON: I see what you are referring to.

MR VALLY: It says 7/01 Chancellor, 7/02 Chris, 7/03 Koos, 7/04 Mealies, 7/05 Hekkies, 7/06 Barries, 7/07 Conventional, 7/08 Other. Can you tell us what that is about?

MR BASSON: As far as I can remember, these are the different areas for which we gave code names so that the operational teams can distinguish between the different areas.

MR VALLY: Fine. Well let's go to Dr Immelman's affidavit.

If you look at paragraph 17, he talks about the documents relating to TRC52, he refers to it by the number which is written thereof, B000010 and he goes on to 11 and 12. He says:-

"A sales list with these numbers was shown to me. I recognised the items on the list and my handwriting which is on the side by the dates, thereon.

Also my handwriting on list 11 which I wrote brought back next to the note of Mamba Toxin. The words JK which I wrote next to the dates 19th of March 1989 and 23rd of March 1989, I do not remember. I think it was Johnny Koertzen. The C next to the other dates, referred to Chris. This was my note for the items which I gave to Chris or one of his co-workers.

The K next to the other names, referred to Koos. Some of the items do not have my notes. Koos is a white man whom I met in Dr Basson's office at the Defence Force's health offices, medical offices, SAMS I suppose.

I was introduced to Koos as Willem by Dr Basson. He told me that Koos is a co-worker, he is a colleague. Meetings between myself and Koos were organised through Dr Basson's secretary, Sarie".

In document 26, what is referred to as 7/02 Chris and 7/03 Chris, aren't these the same people that Dr Immelman is referring to?

MR BASSON: Chairperson, I have a problem in the sense that I am being asked to look at an undated document, TRC26 which was probably drawn up in the early 1980's. If I must remind myself of how it happened, because later in time as the programme became more sophisticated, these objectives changed.

Dr Immelman's affidavit with regard to a specific period in time, I think it is 1989, I didn't even read it, but these two connections, I cannot make them, and I must tell you that if there are any resemblances between Koos and Chris, then I want to know where is Mealie, Hekkies, Barries, Conventional and all the others?

I am of the opinion that these two are not related, it is pure coincidence. The dates of these documents are not known to me so I cannot bring them together.

MR VALLY: You are conversant with the document, with the affidavit of Dr Immelman?

MR BASSON: I read through it a while ago.

MR VALLY: Alright. Let's look at the item relating to the Baboon foetus.

Do you see the item on the 27th of July 1989, the bottom of TRC52, the last item?

MR BASSON: I do.

MR VALLY: Do you see paragraph 19 of Dr Immelman's affidavit, he says Dr Basson requested a baboon foetus. He told me that the foetus of a primate was needed to I suppose obtain some kind of culture. According to my note, I gave it to Koos. If I had given it directly to Dr Basson, I would not have marked it with a K as you see is written on that document.

According to my information, where I don't, and this is what I understand from his affidavit, where there is no initial written next to these murder items, then he delivered it directly to you.

Firstly did you ever request him for a baboon foetus at the end of July 1989?

MR BASSON: Mr Chairperson, the extent of this question, he refers to it as murder items, there is no indication at this point that any of these objects or mixtures, were used for murder.

There is also no indication that they would have been potential murder weapons, so I am asking Mr Vally to rephrase his question.

MR VALLY: Mr Chair, and it is really a minor point right now, but we have canvassed this extensively even with Gen Knobel, for someone to put thallium in beer and we've got the quantities here, by the person who in fact produced these items, cyanide in peppermint chocolates as innocent an item as peppermint chocolates which children could possibly get hold of, and then to say these are not murder items.

If Dr Basson is not aware of this list, why is he being so sensitive about me calling these murder items?

MR BASSON: I am as sensitive about it as Mr Vally would be as his private parts would be considered as rape instruments. The fact that you can use this as murder, you can use it for rape, it does not mean it is a rape tool.

MR VALLY: So what would you use cyanide in peppermint chocolate for?

MR BASSON: Chairperson, I want to get back to the first question with regards to the baboon foetus.

MR VALLY: Alright, no, very well.

MR BASSON: Please Mr Vally.

MR VALLY: Dr Basson, hang on.

MR BASSON: You have asked me regarding the baboon foetus.

MR VALLY: We will come back to that. You cannot enter into a dialogue with me, we will come back to that.

You took it to a certain point, and I am asking you this question. What scientific reason would you have cyanide in peppermint chocolate?

MR BASSON: This morning I said that in the early 1980's we found an ANC cache, depot, and we confiscated several chemical substances, very basic chemical substances.

Chemical substances which is very easily available, not from a specialist laboratory. Cyanide, I can go and buy cyanide and I can find it in any laboratory in this country. I could go to the University of Cape Town, and I could have taken it off the shelves, natrium cyanide.

But the important thing is that these things were readily available to the people who were trained by the Russians, where the Russians did not want to make the sophisticated weaponry available, because people did not know how to work it, so in our case the Russians came to us and asked us to destroy the programme.

They did not trust the ANC with this, and in this specific case we used these things to give training. We had to push agents into the field to do infiltration, and to go and perform certain actions and on a practical manner, I had to teach and demonstrate to these agents the techniques which were available to be used against them.

It is very simple, with one or two chocolates, I cannot commit a genocide. I can't kill people or children with one or two chocolates, what I can do with one chocolate is, I can tell an agent listen to me, look what they can do to you, practical training.

You go into a hotel, sleeping in a hotel. What do you not do? Don't eat the chocolate that is on the pillow, because it could be poisoned. It is a very known approach.

If you look at the Security community, you would find that they will tell you, they will tell you this is often done. Who is going to eat the chocolate, it is the guy who is going to rent the room, not the cleaning lady and then in my training courses I explain to them what this chocolate looks like, what they must look for, and if they don't believe me and I will tell them, look does this chocolate look okay ...

MS SOOKA: Sorry Dr Basson, I don't want to fall in on your explanation, but are you really expecting this panel to believe that you manufactured these chocolates with cyanide for educational purposes of educating your troops about what not to do in a hotel room?

MR BASSON: Ms Sooka, yes, I do not expect you to believe it. I expect you to believe the truth and I am telling the truth as I know it.

The fact of the matter is if you look at the amounts which were made available, then we cannot talk about mass murder. We cannot even talk about a single murder.

Those things were used for a lot of things, for research as well as for training. That is the correct and the true version. If you have never been in a situation like that, then you are going to find it hard to believe.

I do not know, I apologise I do not know your background, but I doubt whether you were ever in a situation ...

MS SOOKA: Thank you, I don't need the political explanation, thank you. I asked a very simple question.

MR BASSON: I am busy to answer the question Commissioner.

MS SOOKA: Thank you, I think I am satisfied. Thank you.

MR BASSON: I am busy answering Mr Vally's question. If you get into that position, you must be able to explain these kinds of things to your troops.

I cannot tell you that that chocolate which was there, was used for this because I cannot link myself to this list. I did not draw this list up, I do not know why he wrote the numbers down, or who wrote the numbers down. I must accept, you say this is Dr Immelman's list, then I accept that. I do not know that.

MR VALLY: Well, let's find out. You say you don't know this list, but you confirm that the cyanide in the chocolate was one of your legitimate projects?

MR BASSON: I am not saying the cyanide in that chocolate, I am saying it was practical, it was common use to use some of these toxins in training.

MR VALLY: Are you aware of cyanide being put in peppermint chocolate as a training tool?

MR BASSON: I cannot tell you that cyanide was used, but I can tell you and this is a long time ago, that several toxins were used in training, in simulation situations.

MR VALLY: And why would 260 ml of cholera culture be produced?

MR BASSON: For several research institutions, and for people to use it for their own research, to make genetic determinations and also for several quality control people.

In my own way I also had to make sure that what Roodeplaat was producing and that which they came up with, is correct. So a lot of this was handed over to other people.

MR VALLY: So do you confirm that within your understanding of the projects undertaken at Roodeplaat, that there could have legitimately in terms of your

instructions, or their mandate, have produced 200 or cultivated 260 ml of cholera?

MR BASSON: I do not know how much cholera was produced, I cannot remember. I cannot remember, I have no evidence of how much was produced. The fact that some cholera together with other organisms were produced, yes, that is true.

MR VALLY: Well, the person who cultured this, which is Dr Odendal, says he made 260 ml. My question to you is simply you wouldn't see it is being outside the ambit of the project?

MR BASSON: As what being outside the ambit?

MR VALLY: The cultivation and production of 260 ml of cholera?

MR BASSON: I cannot say that 260 ml, but I can tell you that the production of several organisms including cholera was part of the duties.

MR VALLY: But I am talking specifically a large quantity of cholera culture, I am talking 260 ml?

MR BASSON: I repeat myself. I cannot tell you how much cholera was produced.

MR VALLY: No, I am putting to you that the person who cultivated it, said this is the amount he produced. For you as the Project Officer of Project Coast, you wouldn't see that as untoward?

MR BASSON: Once again, one cannot measure 260 ml sample, you cannot regard that as a big or a small sample. It depends on the cholera concentration. If he tells me how many organisms there were per millilitre, then I would be able to tell you, it might just be a little bit.

It might be that he cultured his cholera, but he didn't distil it very well, so maybe there wasn't a very high moisture level with very few organisms.

MR VALLY: Fair enough. Mr Odendal did in fact say that it was enough cholera to cause a major epidemic.

MR BASSON: I don't think with permission, that Dr Odendal had the knowledge, the experience or the insight of cholera epidemics, to know how many organisms are needed to create an epidemic.

MR VALLY: Very well. For what purpose would let's look at Anthrax on cigarettes - do you see it dated 11th of August 1989? Do you see that, on the second page?

MR BASSON: Yes, I do.

MR VALLY: What was the training purpose of putting Anthrax on cigarettes be?

MR BASSON: That would be for research reasons. We obtained information that the Russians shortly after the Shertloff(?) incident, where a great anthrax factory exploded and it contaminated the area, that they had developed a new kind of anthrax and we obtained information that they used these anthrax cigarettes in contaminating their own people.

We led a research programme to see if the different applying methods, if it was viable to do it or was it not viable to do that and for that reason, certain of these things were produced, and I would like to see how much.

MR VALLY: It says five.

MR BASSON: It seems like five cigarettes. I would like to tell you that with five cigarettes, to create world wide chaos with five cigarettes, is a bit difficult unless everybody shared those cigarettes.

What basically happened is that those cigarettes were handed over to our laboratory at Special Forces Headquarters, and they would test it, the life of this anthrax and to see how the anthrax is released through these cigarettes and we determined that it was a very bad method to cause anybody any harm.

I would like to say that it is not possible to contaminate anyone with anthrax in cigarettes.

MR VALLY: So, these five cigarettes, according to you were infected or whichever word you want to use, with anthrax for reasons of testing them, to see if it was a proper delivery mechanism?

MR BASSON: No, not to see if it was a proper delivery mechanism, but to see if the information which we obtained from techniques which were used by the Russians, is correct or not.

MR VALLY: Then why would they take five different packets of cigarettes and put the anthrax spores on the filter of each cigarette?

MR BASSON: Because five packets of cigarettes, I don't know if this is the correct case, I don't remember, but I do remember or if I have to think about it, it would be tested over a period of time. You are going to distribute, they are going to spread the time out, you are going to test each packet over several months and so that experiment would have lasted over months, and that would be the explanation for this.

MR VALLY: I repeat my question, why would it be necessary to put anthrax on the filter of a single cigarette and do it in five different packets, in each of five packets, there is one cigarette who has anthrax spores on it?

MR BASSON: For the simple reason that if you are going to use this in order to try and kill someone, you are surely not going to give one cigarette to the chicken and say, smoke this.

Those cigarettes are going to be put into a packet, it is going to be transported, it is going to be driven round and about, it is going to be lying in the sun, it is going to be in his pocket, so we simulate these situations.

MR VALLY: I see, so you are saying that five individual cigarettes were infected with anthrax and put into five different packets to simulate an exercise?

MR BASSON: Let me correct the facts, I never said five. I said different packets would be infected with this in the experiment. I don't know if it was five, or ten or fifteen, it could have been twenty. I cannot remember.

MR VALLY: But you are aware of it?

MR BASSON: I am aware of this experiment, and I am aware of the threat which was there.

MR VALLY: I need to find out about what else you knew about here.

But now we will come back to the issue of the baboon foetus. Dr Immelman said that you requested a baboon foetus from him. Can you tell us your response to that?

MR BASSON: At various instances during the period of various years, I obtained foetuses from Dr Immelman.

MR VALLY: Are you aware ...

CHAIRPERSON: I think the question is what was maybe for my own curiosity, what was the whole point of ordering baboon foetuses?

MR BASSON: At that stage I was involved in research where we used alpha fetoprotein in the peptone synthesis. Foetuses are a very important source of alpha fetoprotein and why I obtained these foetuses was to obtain this specific protein.

And we also had developed certain cultures and I used something of this to develop these specific cultures.

CHAIRPERSON: Just as an aside and whilst Mr Vally prepares the next question, I don't know if you are aware that at one stage at the residence of the Archbishop, Archbishop Tutu a baboon foetus was found hung there, outside his premises. It had nothing to do with Roodeplaat as far as you know? Do you know anything about that?

MR VALLY: Mr Chairman, if I could add to that question, it is the same question Dr Basson.

MR BASSON: Yes, Mr Chairman, I will answer your question.

MR VALLY: I just want to add to that.

CHAIRPERSON: If you could allow Mr Vally.

MR VALLY: It is the same question, this baboon foetus according to this list, was delivered to Koos on the 27th of July 1989 and this baboon foetus which was found in the garden of Bishopscourt here in Cape Town when Archbishop was still Archbishop Tutu, was found in early August, shortly after this.

MR BASSON: Mr Chairman, yes, to answer your question. I am going to answer it in two ways.

One, when I finished with the baboon foetuses, without being insensitive, I threw those in the garbage bin. This happened repeatedly.

I don't know what Mr Vally is insinuating. If he wants to insinuate that this specific foetus came from Roodeplaat with the view of bringing it to Tutu's home, this is an insult to me and Bishop Tutu, to postulate that I could think that something like that would have any influence on Bishop Tutu, except to fill him with contempt and I want to say I deny that I know anything about the baboon foetus in Bishop Tutu's yard. I don't even know where it was found.

What I am trying to say is on a regular basis, I obtained these foetuses and threw them away in the garbage bins at Headquarters.

I want to state clearly that I have no knowledge whatsoever of a foetus whether from an ape or a baboon which would have been provided to use in Tutu's yard. Nobody in the Defence Force which had any insight, would have thought that Bishop Tutu would have been influenced by anything like this, apart from making him more adamant to bring the regime to a fall.

CHAIRPERSON: Dr Randera?

DR ORR: This is perhaps an aside, but as a Doctor I immediately ask myself why the baboon foetuses weren't incinerated if this was a properly controlled laboratory in which foetuses certainly could be potentially infectious material?

MR BASSON: Because the foetus as you know, is a sterile tissue. That is why we use the alpha fetoproteins and the tissue from the foetus, because they do not, they are protected unless in the case of very, very remote animal viruses, from human ineffective organisms.

In actual fact this foetus posed no threat, no more threat than the throwing out of a medium rare steak into the garbage bin.

DR ORR: I still find it unusual that this material was not incinerated.

CHAIRPERSON: Mr Vally?

MR VALLY: Thank you Mr Chairman. Looking at Dr Immelman's affidavit, can you tell us who the Chris is that he refers to. He says you introduced him to Chris?

MR BASSON: I can't remember that I ever introduced any specific person to Dr Immelman.

MR VALLY: Can you tell us who Koos is?

MR BASSON: The answer to that question is the same. I never introduced these people to him.

MR VALLY: Can you tell us who is Johnny Koertzen?

MR BASSON: Yes, Johnny Koertzen was a member of 7 Medical Battalion.

MR VALLY: The 7th Medical Battalion was a forerunner of ...

MR BASSON: Nothing as far as I know. It is still 7 Battalion.

MR VALLY: I see. And most of the people or a large number of the people involved in the front companies, under Project Coast, were in fact in 7th Medical Battalion before they got involved in Project Coast?

MR BASSON: That is not true.

MR VALLY: Well, let's name them. Dr Mijburgh?

MR BASSON: Dr Mijburgh, as far as I know, was not a member of the 7th Medical Battalion. I think he left before that group was established.

That is as I remember.

MR VALLY: Well, let's talk about the 7th Medical Battalion.

MR CILLIERS: I want to put it on record, as far as Dr Mijburgh's evidence is concerned.

MR VALLY: Well, Special Forces because, let's understand it, there was a Special Forces Unit which had a medical component to it, are you aware of that?

MR BASSON: The Special Forces of the South African Defence Force, had a Medical Unit attached, yes.

MR VALLY: And that Medical Unit became 7th Battalion?

MR BASSON: During the course of time yes, with certain additions, a certain organisation developed, 7th Medical Battalion which took over the medical supporting functions.

MR VALLY: And you were the Commander there?

MR BASSON: Yes, for a period.

MR VALLY: And Dr Mijburgh, he was before 7th Battalion existed, but he was in the Special Forces Unit, the medical component thereof?

MR BASSON: Dr Mijburgh was a member of the Defence Force Headquarters, where he because of his abilities as a Doctor and his operational abilities, provided medical support to various Security Force components.

MR VALLY: If I say a number of medical people who were your front companies, operating under Project Jotta originated or at some stage, were in Special Forces Medical Unit, or in 7th Battalion, would I be wrong?

MR BASSON: How many are there?

MR VALLY: Well, you tell me.

MR BASSON: I think about four.

MR VALLY: At least four? Fine.

MR BASSON: And it should be seen against the background of front organisations where hundreds of people were employed.

MR VALLY: Dr Immelman says that these items on this list, TRC52, were delivered always in a very surreptitious manner to these people, Chris, Koos and Johnny Koertzen, initially instructed by you and thereafter with arrangements made via your secretary. What is your response to that?

MR BASSON: Can Mr Vally just explain to me what he means by surreptitious, I don't know what he is meaning.

MR VALLY: Well, is there anything about Dr Immelman's affidavit which you disagree with?

MR CILLIERS: With respect, that is an unfair question. This is a very long statement and later on you can be criticised because you did not disagree with this matter.

CHAIRPERSON: Yes no, I agree.

MR VALLY: Fine. Let's start with paragraph 13. Have you read paragraph 13?

MR CILLIERS: Mr Chairman, I am sorry, at this stage I hear that the traffic is terrible outside. An explanation is that perhaps it is because of the train strike and consequently the motor traffic is much worse than usual and it is - my position is that I am not available any further, and at this stage, we have come to a point where I have reached that situation.

There is one aspect before I ask you to excuse me. There is one question that Dr Basson did not answer or refused to answer, and that was whether Dr Basson had any scientific founding that certain substances like LSD, mandrax can be used to control crowds. At that stage he had a problem to answer in the light of the situation.

As the questioning developed and that as a single question, I ask you an opportunity to advise ... (tape ends) ... there is not one single aspect which has not been answered regarding the in camera proceedings, and after that, I have to ask you to take my position into consideration.

It is also the position of Mr Du Plessis, Mr Arendse told me he is in an almost similar position, although his flight is ten minutes later, but my position is unfortunately of such a nature, that I can't remain here any longer.

But before that ...

CHAIRPERSON: (No translation)

MR CILLIERS: I beg your pardon?

CHAIRPERSON: Isn't there a strike at the airport?

MR CILLIERS: No, it is only train drivers. It is their turn today. Last week it was people at the airport.

I want to advise Dr Basson and ask him an opportunity to answer that question Mr Vally asked initially.

MR BASSON: Mr Chairperson, the question Mr Vally asked me regarding the scientific founding of the use of these substances as incapacitants, and because you told me you were not technically inclined, I want to tell you what an incapacitator is.

MR VALLY: Mr Chairperson, I see my learned friend is packing up. As long as he is aware that I am going to continue asking questions, within the mandate period as set out in the Act, he is welcome to pack up and leave.

MR CILLIERS: No, I am not packing, I am just putting my things together. I am still listening to what Mr Basson has to say.

MR BASSON: I want to explain to you what an incapacitant is. In a defence or military situation, it is a question of a situation that you have to keep your faculties together, to reach your objective.

It is the same in a civil situation, you have to keep your faculties together to reach your objective. There are a few ways to take your faculties away permanently, take them away, and that is to kill you. You can't defend yourself, you can't think, you can't protect yourself.

And by influencing a person's observational capacity and his perceptions, you can influence a person. You can do that by disturbing the visual picture or also the brain's reaction on that.

To change a person's emotions and you can cause the person not to achieve his objective. That you can do by influencing the brain function so that the

person does not recognise the threat or cannot handle this threat, or you can do it by various substances which can cause a lowering of the blood pressure.

The person for example can't stand up straight because his blood pressure has fallen, and if he falls over he can't run away. There are various such ways of incapacitating a person.

The request of the Defence Force regarding incapacitants was to develop these substances which would not leave any permanent damage, and that group of incapacitants which did not cause permanent damage, were those working on the central nervous system and on the brain.

The Defence Force said if we develop incapacitants, we did not have the money to develop a new weapon. I could not develop a new projectile or a new delivery mechanism, we had to use existing delivery mechanisms which the Defence Force had.

One of the existing methods was that certain substances would have to be released. On a Friday evening you can walk around in town, and you would see various people incapacitating themselves by smoking. We have learnt that trick from the local population.

If you want to incapacitate people easily and without any costs, it should be something which would be absorbed through the lungs. Every one of those things which Mr Vally mentioned, were things which could be inhaled through the nose or through the lungs.

That would cause reversible effect on a person. That would be an objective to incapacitate a person just temporarily.

CHAIRPERSON: Mr Cilliers, I have heard you and you wanted to be excused. The only difficulty is that your client has expressed an apprehension that if he does not have you as a representative, he is in a problem, which is why we postponed the matter till today.

Now, I am not sufficiently informed as to whether you have another professional engagement tonight still, because that should be the consideration that should weigh heavily with us. It is not unknown that proceedings do continue and that we have to sit late if need be and I cannot see a more compelling case than the present one.

MR CILLIERS: I can explain my position. I have explained to you what my problem was in the first place, that initially it was told to me that I should not be available for Friday. This position changed yesterday and with a great demand or with great problems for especially to clients, it is not necessary to mention their names now and because of my non-availability to day, I would

have arranged that I would make preparations tonight. I am seeing these clients tomorrow morning to enable us to finalise a submission.

The deadline actually was today. We will file that now on Monday. I have to do the preparation tonight, and tomorrow the consultation and the finalisation. That is my position.

This is applicable to me and my client and my lawyer, Mr Van Zyl also. Last night at half past ten I started consulting with my client and because at that stage, we only arrived in Cape Town we worked to round about two o'clock this morning. Eight o'clock we were here this morning, I had three, four hours of sleep last night, and the same applies to my client. We have been here since eight o'clock this morning. It is already five o'clock, and at this stage I am in a physical situation that I am tired, too tired to go on.

The same applies to my client. My client feels and he maintains that he prefers and that he has received advice that he need not answer questions if I am not available.

That is unfortunately the situation. I am repeating what we have said and as Mr Vally has said, what is still outstanding, it seems to me he has already covered all aspects. I will give an undertaking and you can make such an order, that if any other aspects he requires information about, I will provide it in a written form. I could supply it by next Friday. That is if he provides the questions on Monday, that is to accommodate you.

CHAIRPERSON: Can I just hear you Mr Vally in the light of this?

MR VALLY: Mr Chairman, over the last three days we have had a song and dance regarding legal representation of Dr Wouter Basson.

We made it very clear on the day that we had Dr Wouter Basson here, represented by Mr Van Niekerk, we assumed that Mr Van Niekerk faithfully conveyed to Mr Malan what transpired on Wednesday, that we were opposed to any postponement, but should it be granted, we would need at least two days, and we referred to Thursday and Friday. That was made explicitly clear on Wednesday.

There was no talk that Friday would not be necessary. That is the first issue. We have always made it clear we need at least two days.

The second issue is we were told according to the strange instructions that Mr Van Niekerk received, that they had attempted to get other counsel, but Colonel Kaiser had declined them consent to obtain other counsel.

Colonel Kaiser has confirmed in a letter that they were never approached to obtain alternative counsel.

Thirdly, we were told by Mr Van Niekerk that when they tried to contact Mr Malan, Adv Cilliers, Adv Van Zyl, they only got hold of Adv Cilliers, who said he was available on Friday.

We were told he didn't get hold of Adv Van Zyl or Mr Malan. Next yesterday we were told by Mr Van Niekerk that they tried a number of counsel in Pretoria and Cape Town, unsuccessfully, but in the morning we got a letter from Mr Malan, who said the only person who is suitable is Adv Cilliers.

We now have a situation where Mr Cilliers wants to leave promptly at five o'clock. This is unacceptable. I believe, and I respectfully submit that by their conduct, they are trying to frustrate both the workings of this Committee as well as trying to frustrate the order granted by Justice Hlophe.

I respectfully submit that if Adv Cilliers wishes to leave, that we be allowed to continue and I can't understand why yesterday and Wednesday there were no legal representatives available, today we have one, two, three, four and if you count Ms Nicole at the back, five people here representing Dr Wouter Basson, why none of them are available.

I respectfully submit that this is a ploy to frustrate us, I have a number of questions left, we have not finished. We still want to determine whether Dr Wouter Basson produced drugs to try and enslave the youth, if Dr Wouter Basson produced drugs to try and sell and make money, did Dr Basson actually dump any drugs in the sea or was this a fictitious series of events? We cannot leave it here Mr Chairman.

I would respectfully submit that we continue and Adv Cilliers, can make his election thereafter. Thank you Mr Chairperson.

MR CILLIERS: With the greatest respect, after nine hours, almost nine and a half hours, being involved here, and my situation is critical now, after nine, nine and a half hours here where we said you can limit tea breaks or lunch breaks, now to say it is more than double the ordinary day, while witnesses being cross-examined, to say now this is a ploy after this morning, I told you the first thing, that I was only available till five o'clock.

That is improper for Mr Vally to suggest that I am busy with a ploy. The position is like I have explained to you. I cannot stay any longer, and my client's choice is still the same.

He is not going to answer questions if he does not have proper legal counsel. The attorney who was here yesterday, does not agree with the factual submissions Mr Vally has made. I don't know whether it is necessary here now to listen to various accusations, to throw accusations to and fro.

This is my position. My learned colleague can pose his questions and I give you the undertaking that these questions will be answered within five days.

CHAIRPERSON: My only concern now Mr Cilliers, is how do we deal with the situation where the circumstances are extraordinary and I am sure I needn't say why they are quite extraordinary. At this stage we have a situation where Mr Vally indicates how many or what sort of questions he thinks he needs some clarification or some answers to.

I hear what you are saying about written representations, but they never amount to what one gets by way of questions being put in a question and answer situation.

MR CILLIERS: If I can be of assistance, if they are follow up questions, then I would say that I will also answer the follow up questions.

CHAIRPERSON: I am quite acquainted with what is possible. I am simply considering what would, apart from what is possible, but what would be in the best interest of all parties. I am not so sure whether the panel is actually very appreciative of your professional engagement this evening.

It seems to me that you are saying that you are not in a physical position to continue.

MR CILLIERS: No, I am really tired, but I am not hiding behind my physical capabilities. My client has also told me that he is physically very tired, but I am not telling you that it is physically impossible to go. I am just mentioning to you that we have been busy for about nine hours, and we had about three hours' sleep last night.

MR VALLY: Mr Chair, could we have a five minute recess while you are considering this?

MR CILLIERS: My problem is that a five minute recess is really going to put me in hot water.

CHAIRPERSON: I think what part of the problem, quite frankly, I must be open with you Mr Cilliers, part of my problem is that I am not persuaded and I am not deciding, I am not persuaded that I have had a reason that you are professionally engaged tonight anywhere else in a manner that suggests to me that you should step out of a matter in which you are professionally engaged, in view of the ethics that govern our profession.

I just, well you have told me that you are going to be preparing to consult, I don't know what that means for something that needs to be filed on Monday.

MR CILLIERS: With the greatest respect Honourable Chairperson, if you feel that I am ethically acting incorrectly, then you can lay a claim against me. I am

sure you are aware of the proceedings or the procedures, but I have no problem with that.

If you feel it is your duty, please do that. I have no problem with handling such a situation, but this is my position and if my actions are improper, then surely serious steps will be taken against me. That is my position and I am asking your permission to leave now.

ADV POTGIETER: Have you discussed this with the people from the Bar?

MR CILLIERS: Yes.

ADV POTGIETER: This situation we are talking about now?

MR CILLIERS: No, not this situation.

ADV POTGIETER: So if you leave, your client is not going to be prepared to continue?

MR CILLIERS: The situation which my colleague discussed, was after this judgment of Justice Hlophe that we had to be here on Wednesday, especially myself. I received a specific instruction and my learned colleague as well.

We did approach them and it is a very important situation, as you cannot leave the people in the lurch now despite the situation here now, and we are supposed to adhere to that instruction. So we did approach the Bar Council.

ADV POTGIETER: Can you speak to the Chairperson of the Bar Council now?

MR CILLIERS: No, it is twenty past five, I don't think so.

ADV POTGIETER: Can you give us his details?

MR CILLIERS: Yes, it is Mr Grobler.

ADV POTGIETER: From Pretoria?

MR CILLIERS: Correct, I am from the Pretoria Bar, yes. But you are welcome, if you request me to go to the Bar Council myself, and if you make the request that I must, you know yourself, you are also in a Bar. You can give me the instruction and then I will report myself.

ADV POTGIETER: I think it would be of assistance if we could speak to Adv Grobler right now. We are going to try and do that.

MR CILLIERS: Well, my problem is I am asking you've got to let me go. My plane is an hour from now, it is leaving and really now it is becoming, it is final now. I would like to leave now, I would like leave for the airport now.

ADV POTGIETER: And you are not prepared in any sense to stay put until we have spoken to Adv Grobler?

MR CILLIERS: If it was five or ten minutes ago, yes, maybe or if we did it this morning, yes, but I see on the watch of my colleague, it is already twenty one minutes after five. I simply cannot spend another ten minutes here.

I am telling you it is Friday afternoon, it is almost half past five, and I do not know his personal home number, but our Bar, the phone stops at a quarter to five, so you can't even phone him there. To get his home number, I don't know how long that is going to take, so I don't think - you are not going to get an answer in the next probably 40 or 50 minutes.

ADV POTGIETER: What time is your flight?

MR CILLIERS: If I have it correct, it is 18H25. That is the last Sun Air flight we could get. You know the flights on Friday nights from Cape Town to Jo'burg are really booked, fully booked. You know that yourself, you live here but your colleagues who fly from Johannesburg, Monday morning to Jo'burg and Friday night back, it is a real problem with flights.

CHAIRPERSON: Mr Cilliers, this is one of those moments that I feel very heavy in my heart because I am seeking to find the wisdom of Solomon in dealing with this situation.

You are a colleague and you have made, I must say with all the respect that you can command, a (indistinct) to us that we should take your circumstances into account. I cannot fault you for saying the things that you have said, I have consulted with my colleagues who are quite concerned also about the fact that you have to leave at a time when we have an indication from Mr Vally that there are questions that he still needs to put to your client.

In the circumstances, I do not consider that it is in me as representing the panel, to say we are able to excuse you. We can't stop you from leaving, but we certainly cannot say we are excusing you. We therefore leave the matter to you as an election as to what you consider ...

MR CILLIERS: May I ask for a short adjournment so maybe by using a phone, I can change my flight time and then I would be able to tell you within a few minutes if it is at all possible to change it, but otherwise it is my position. Then I then would have to go. If you will give me five minutes, I will see if I can make some kind of arrangements, maybe with regards to the later flight even though I understand this is the last flight, but I am just asking for five minutes.

CHAIRPERSON: Five minutes. We are adjourned for about five minutes.

COMMITTEE ADJOURNS

ON RESUMPTION:

WOUTER BASSON: (still under oath)

MR VALLY: Mr Chairman, before I continue asking questions of Dr Basson, I want to put some items on record.

We have contacted a travel agent and we have determined that there is in fact a flight, a Sun Air flight, flight number BV718 leaving at 20H05 tonight and in fact there were still seats available on it.

Our phone call was made approximately five minutes ago, between five and ten minutes, so at 17H40 there was a later flight with seats on it.

Secondly we were advised that the Chairperson of the Bar Council in Pretoria was Adv Grobler and we have been trying to get hold of him. We have successfully got hold of him. He advised us that since February this year, he is no longer Chairperson of the Bar Council.

That in fact the Chairperson of the Bar Council is Mr Backlesman. Mr Backlesman is unfortunately away and in his place is a Mr Johan Louw and whilst we have his cell number, we haven't bothered contacting him because I believe Adv Cilliers is no longer here.

In the circumstances Mr Chairman, I think that potentially they could have represented Dr Wouter Basson. I see Mr Van Niekerk is still here, I am not sure if he is representing Dr Wouter Basson or just observing matters but I would like to continue with the questioning of Dr Wouter Basson.

CHAIRPERSON: Thank you Mr Vally. May I just place on record that I am not - I am a little bit surprised to hear that there is a Sun Air flight at that late hour and that there are seats available. I did speak to Mr Cilliers who advised me ...

MR VALLY: I beg your pardon, Mr Chairman, it is BV798. I did incorrectly say 718 earlier, but it is BV798.

CHAIRPERSON: Mr Cilliers did say to me that there were no more flights available. I suggested that he may well be advised to find out if he cannot travel SAA and then he said no, no, no, he had already tried and there were no flights available.

That in any event Mr Van Niekerk is going to represent Dr Wouter Basson. I must say in fairness to him, he did add the rider that he doesn't know what instructions Mr Van Niekerk would be getting from Dr Wouter Basson. I don't know if I can, Mr Van Niekerk now that you are here, if you could place yourself on record, so that ...

MR VAN NIEKERK: Mr Chairman, I am flattered that you know I can represent Dr Basson.

CHAIRPERSON: No, it is not ...

MR VAN NIEKERK: Having spent the day here today ...

CHAIRPERSON: It is not I, it is your counsel who said you are here and you are going to take over.

MR VAN NIEKERK: I am here on matters procedural Mr Chairman. Having listened today to the evidence, to the voluminous amount of evidence and the complicated issues that have evolved, I would not accept a brief to look after the interests of Dr Basson on the merits this evening.

I am staying here in the capacity as an observer and not as Dr Basson's legal representative on the merits, thank you.

CHAIRPERSON: When you said you are here on procedural matters, may I understand in what sense? Do you have instructions for instance for anything?

MR VAN NIEKERK: No, I have no specific instructions whatsoever Mr Chairman. There was a stage this afternoon where an urgent application to the High Court was considered, in which case my services would have been called upon, but I am not here on the merits whatsoever.

CHAIRPERSON: Dr Basson, do you want to say anything?

MR BASSON: Yes Mr Chairperson, thank you for the opportunity to put my case. I find myself in the position at the present moment that my competent legal counsellor because of reasons known to him, had to withdraw. I had nothing to do with that.

He has his own reasons. Today I have tried to the best of my ability to cooperate with you and certain stages I exceeded my limits and you reprimanded me. I have been here since eight o'clock this morning, you also, but I think your adrenaline levels were perhaps a bit lower than mine.

I have no competent legal representatives at the moment, not because of any of my doings. This Commission, I understand they had to complete certain requirements. I have sympathy, I have respect for what the Committee is doing.

I will find it very difficult to answer further questions, and I find myself in a position where I was, where I say that it will be difficult for me to answer questions without competent legal representation.

I undertake, like my legal counsel has said, that I will assist you in providing outstanding answers in writing which I will compile with the assistance of my legal representative.

At this stage, I am dependant on you for any further decisions and I trust that you will take my position ...

CHAIRPERSON: Do you want to say anything in reply, in view of the fact that Dr Basson is saying, "Look, I am here, I have not chased any flights, I'm here,

but I'm in the position that I am in through no fault of mine really, I am now without representation, competent representation", and... (intervention).

MR VALLY: Mr Chair, we have approximately six hours left within which we must wrap up our activities which commenced in 1996, in terms of enquiries into human rights violations abuses. The fact that Dr Basson's legal representatives have stated that there were no flights, when we were able to ascertain that there were flights, is a worrying one, it's a worrying one in the context of what has transpired over these last three days. With the greatest of respect, and I repeat what I asserted before, I believe we should continue questioning Dr Wouter Basson, I believe that Mr Van Niekerk at very least could possibly represent him. I am not saying that he is obliged to, the issues are crisp and clear relating to the issue of self-incrimination or the right to remain silent. It's not necessarily a question of having knowledge of all the documents. However, Dr Wouter Basson can make his election as to who he wants to represent him, but I believe that I should be allowed to continue asking questions, for all the reasons we've been stating for the last three days, and this is further exacerbated because we've consistently pointed out the contradictions in the positions taken by Dr Basson's legal representatives, and I'll repeat those contradictions for your purposes: we were initially told that they only started... (intervention).

CHAIRPERSON: No, Mr Vally, I'm sure the panel is well aware of those contradictions and it's a matter of grave concern also to us, but isn't, or let me put it this way, in that particular context, let me ask you a hypothetical question, assuming, I don't know what the position of Dr Wouter Basson is going to be, assuming we are in a position like yesterday's, where Dr Wouter Basson will say, "Look, I hear the question, I would have loved to have replied to it, but I refuse to answer that question because I'm not legally represented"?

MR VALLY: I respectfully submit that Dr Basson is a master of his own fate. I say this because the application was brought in his name, he's fully aware of what was in the application, because he signed the affidavit.

CHAIRPERSON: But aren't the real culprits, to the extent that you can say so about colleagues and professional people, aren't the real culprits today his lawyers, especially in view of what you have disclosed to this tribunal with regards to what you have been told by travel agents when they have told us something else?

MR VALLY: I cannot say that unequivocally until I hear what they have to say about the matter. We did tell Dr Wouter Basson, as soon as we heard there were

flights available and asked him to contact his counsel by cell. He has not indicated whether he's made any attempts whatsoever.

DR BASSON: That is not true, I've given the numbers I had available to Mr Chaskalson, I've made two other telephone calls in order to find out what Mr Cilliers' cellphone number is. Whether he could find that cell number, I don't know. I've given my full co-operation in an attempt to find him.

MR VALLY: Well I withdraw that then if Dr Basson has in fact done so. In any event, to what extent can you hide behind your attorneys? If your attorneys act in an irresponsible manner regarding protecting your rights, can we let the situation continue? We must remember that this is part of a pattern, this is Wednesday, Thursday and now Friday. Dr Basson may be able to hide behind his advocates today, if it is true, the allegations against them, but certainly he has to take responsibility for why we are in this position on this last day. I respectfully submit that I should be allowed to continue questioning Dr Wouter Basson, thereafter getting, after getting his position on record, we can take whatever steps necessary and I will make an application in that regard. Thank you, Mr Chair.

CHAIRPERSON: Mr Vally, then can you continue?

MR VALLY: Thank you, Mr Chair. Dr Wouter Basson, I put to you that the items which appear on TRC52 were designed to either injure or murder either individuals or groups of people in terms of the poisons which were put into very basic substances like chocolate and whisky and shampoo and sugar. What's your response to that please?

DR BASSON: Mr Chairman, I've already answered this question. I want to put it on record that I have answered that question at great length and at this stage I do not have competent legal representation and I'm not in a position to answer without prejudicing my rights, and I will not be in a position to answer questions.

CHAIRPERSON: Can I just ask you a favour, it's not a command, it's not an order, I have sat here in full appreciation of your competence and I say this with respect and with humbleness, but I'm well aware of a disposition on your part which may want to be saying, "I have rights, I have to assert them". I have a sense that if you got yourself to it, you could actually competently reply to some or even all of the questions that are put to you, in the same way that I was able to observe that in some instances, possibly against what would have been the choice of your legal representatives, but precisely because you wanted to make certain positions very clear, you, even before they could intervene, you

replied in a manner in which they allowed you to say what you want to say. As I say, I am not by any means asking you to waive your rights, I'm not by any means asking you to throw away rights which you have, I'm simply saying it may well be that your questions, I mean the questions put to you, which if your replies are anything to go by, may put to rest some of these interrogatories, it's just a plea.

DR BASSON: Mr Chairman, thank you for your approach, thank you for the compliment you've paid me, it is so that certainly today I've answered quite a few questions which my legal representatives were unsure about, it's part of the problem and of the situation, because they are not technical people, there are things which they do not understand, I understand it easier and I can understand the question. I do not have the insight to understand which things I can say which could cause problems at a later stage. I cannot determine the direction of the questions, which they can do, because I'm busy with the facts of the moment. It is so that I've been busy here for nine hours, my adrenaline levels are quite high, and the degree to which I can handle myself is decreasing. I can make mistakes. It's not that I'm going to tell lies, but as I've asked, concerning the in camera hearing, I might mention some facts which would be prejudicial to me in my criminal case, and I request that you will take that into regard when you make your decisions. Today I've tried to co-operate to the fullest extent within my abilities.

MR VALLY: I want to go on with my questioning, Dr Basson. Dr Basson, on the list, TRC52, is there any single item there, that you are aware of, which was not, or could not have legitimately, in terms of project cost, been produced at Roodeplaat Research Laboratories?

DR BASSON: Chairperson, I do not understand this question. If he can repeat the question. I lost him somewhere along the way.

MR VALLY: Certainly. Let me put it in context. When I asked you about the cyanide in the chocolate, you explained to me you needed to educate people as to the possibilities of how it could happen to them. When I asked you about the cholera, you explained to us that it was possibly made for whatever purposes you explained. There's typhirium(?) in deodorant, which is one can say typhoid delivered through a deodorant, for example, the very last item, TRC52... (intervention).

DR BASSON: It's not typhoid, it's salmonella.

MR VALLY: Oh, I beg your pardon, salmonella, I'm so sorry, because I'm sure I saw typhoid somewhere else. In any event, of this list that we have in

TRC52, and I'm talking about these combinations, I'm talking about acid in whisky, aldycarb in orange juice, beer with thallium, sugar with salmonella, whisky with paraquat, we've talked about the baboon foetus, peppermint chocolates with aldycarb, peppermint chocolates with brodifarcum, peppermint chocolates with cathradin, peppermint chocolates with cyanide, we've talked about the cholera already, and I can go on, mamba toxin, whisky with colchicine, I believe, and it says "cultures from letters", and we've heard evidence to the effect that there were anthrax spores put on the gum of envelopes, is there any item here, in the peculiar combinations that they are in, which you would say was out of place in terms of the work or the research being done at RRL?

DR BASSON: Chairperson, I'll answer this question, because we've already dealt with TRC52 to a great extent, and I do feel competent enough in order to handle this line of questioning to answer his question. I'd say if you quickly page through this list, I cannot accept responsibility for each item, but I can put it as a general point that most of these substances are known, well-known substances, they're well used, and the fact that Roodeplaat prepared them was not in any way irregular. The substances, as far as I know and the ones I received, and again I must tell you that I did not receive all of these, I cannot remember if I did, I cannot take responsibility for each of these items, but I can say that generally speaking these type of items and substances were used for legitimate training and research purposes, and as far as I know, there's not a single individual who got harmed in any of these substances.

MR VALLY: Dr Basson, when you refer to these substances, you're also referring to the particular combination that is set out there, whisky and paraquat, typhirium in deodorant, for example, whisky with colchicine, in that combination, you wouldn't see it out of place in terms of what the responsibilities of the researchers at RRL were?

DR BASSON: Chairperson, these combinations were not the responsibility of the researchers at Roodeplaat Research Laboratory, these combinations were the responsibility of research and training in institutions outside of Roodeplaat. Roodeplaat prepared these combinations for further research and for further development, and once again I repeat, as far as I know there is not a single individual or now five or six or seven years investigations by several officials, not one individual was found who was harmed by any of these products, or who could be directly linked to any of these products.

MR VALLY: I accept what you... (intervention).

CHAIRPERSON: Dr Randera?

MR VALLY: Sorry.

DR RANDERA: Dr Basson, can I just understand this list, and earlier on I think you said was that you're not aware of this list as such, but at the same time in the questions that you've been giving to us, it appears as if you were aware that these substances were being produced for research purposes as you say. So let us understand how it works. Cigarettes are produced with anthrax. Where does it go to? It's not being, research work, as I understand you, is not being done by Roodeplaats, where would you have actually contracted that out to, and to whom?

DR BASSON: Very well, Chairperson, the products, after they were produced at Roodeplaat, were then handled in different manners. For example, in the case of the anthrax cigarettes, we had a laboratory at special quarters, headquarters, special forces headquarters, where we had certain equipment which made us capable of making pyrotechnic mixtures and to test them, and in this way we, by means of infiltration, this anthrax spores in the cigarettes, we could then use the cigarettes with regards to the pyrotechnic method, it's a vacuum and it's lit and it would be sucked different ways cigarettes are sucked, and then we'd analyse the extraction of the smoke that came out of that. Now Roodeplaat did not have the facilities for those kind of experiments. The filters, or the extract products, after they were exposed to certain different temperatures and after they got older over certain periods, were then further analysed in laboratories. I cannot remember which the specific laboratory was, but it was a pertinent part of this whole thing, we had different sub-components. It could have happened at some or other university, it could have been at a private research institution, but it would have been completely unrelated to Roodeplaat and it would have been outside of context, and it sounds, and I'm scared of the word, sinister, I mean it sounds surreptitious, but in essence that's just a good - it's just to break up this whole thing into sub-components, so that there's no-one who's got only one answer.

DR RANDERA: Sorry, can I just follow that up? As part of that experimentation that you're talking about, would you have used live animals to carry out the end results in a sense, because you had to test, as I would understand what you're saying, if you take anthrax in cigarettes, you essentially wanted to know what effect it may have on human beings at a later stage, or at some stage, now would that have been tested in mammals?

DR BASSON: No, the anthrax in cigarettes was not to test the effects, it was to test the efficacy of the delivery mechanism. We already know what anthrax does, I mean it's common cause, anthrax inhaled in a certain way, anthrax introduced trans-dermally or intra-dermally, those effects are already known, so we didn't need, we didn't need to do that research. What we did in the case of the anthrax cigarettes was... (intervention).

DR RANDERA: Sorry, let me just, okay, let's, I mean we're talking about in terms of anthrax and the cigarette smoke in terms of incapacitance, okay... (intervention).

DR BASSON: I'm getting to the answer.

DR RANDERA: ...in terms of what you explained to us earlier on, but then explain the cholera to me, I mean was that also part of the incapacitating agents that you were trying to develop?

DR BASSON: No, the cholera was done in order to look at inoculation processes and to test them, and also quality control. I often received samples from different cultures at Roodeplaat, and then I gave it to another laboratory to test, to make sure that that what they say they're doing is indeed the case. I'm not a qualified microbiologist and it was one of the ways how we could make double sure as far as control is concerned. Against great personal risk with regards to animal rights people, and they're going to hit me over the head if I walk out of this door tonight, but it did happen that some of these chocolates, as part of the training process, would be given to a mouse or a rat to show the students what they consider a normal chocolate and do not want to believe me, that there's no better lesson for a person to actually see the result of his mistake. So it was the case that some of those substances were tested on experimenting animals.

CHAIRPERSON: Thank you Dr Randera, thank you Dr Basson. Mr Vally?

MR VALLY: Just for the record, which universities did you send some of this material to and which companies did some of the testing for you?

DR BASSON: Chairperson, there's not a university in South Africa that was not involved in some way or another, it was widely distributed. I say "I", you must also read, I'm talking about the royal "we", this project did not differentiate between universities as such. As far as possible, we supported all the universities and we also paid them for the work they've done. As far as private companies are concerned, there were several of them, it could be a state, it could be semi-state companies, some of the people at agricultural research, I really cannot remember, but there was a diversity of facilities we made use of,

and I'd like to add that I learnt this pattern from the American system, that's how they do their chemical research and basically I just copied it from them.

MR VALLY: Why then this strange arrangement with Dr Immelman whereby he would meet the people he calls Chris and Gert and Manny in restaurants, in other places, where these items were handed over to them? I refer you, for example, to paragraph 16 of Dr Immelman's affidavit.

DR BASSON: Chairperson, I'm not aware at all of the fact that Dr Immelman, and I don't have the paragraph in front of me, but I would have been very surprised if Dr Immelman would have met these people in any other place other than my office at the medical headquarters, I cannot think of a more straight or less surreptitious place than the surgeon-general's office. All these meetings took place in my office, at times when I was not available, when I was absent or for reasons that I cannot remember, in no way, and it's also mentioned there, code names were not used, I never ascribed to code names to anyone, except that I made it quite clear to Dr Immelman that his identity with regards to the other people in the unit or who were messengers or whatever they were, that his identity then must be concealed, because at that stage not one of the people who were involved knew that Roodeplaat was a front company who does this kind of work, so if there was any reasons which looks surreptitiously, it would be because to ensure and conceal the identity of Dr Immelman and Roodeplaat, so I'm not aware of any meetings which took place in cafés or shops, I'm only aware of those that took place legitimately in my office.

MR VALLY: You see, Dr Immelman states that when he delivered items to various people, he would put their initials next to the date, and as you can see, for TRC52, he's got three initials at various times, JK, which he told us was Johan Koertzen, C for Chris and K for Koos. He also indicates in this affidavit, that where he didn't indicate who he gave it to, it would normally have been to you. Now, TRC52 seems to bear him out. Why, for example let's take the issue of, I'm looking for the sodium cyanide on the 20th of June 1989, do you see it on your list?

DR BASSON: Which date is that?

MR VALLY: 20th of June '89.

DR BASSON: Yes, that's correct.

MR VALLY: Now this is an extremely lethal substance, would you agree?

DR BASSON: That is correct, yes.

MR VALLY: For what conceivable purpose would 50 of these capsules be delivered to Koos, can you give us a possible explanation?

DR BASSON: Chairperson, firstly I do not know the reception of 50 capsules. It is possible that it was given. We did work with it periodically. Natrium cyanide is a well-known chemical substance which works very quickly and the result of a mistake is very evident. Several instances we used natrium cyanide in training and I accept it was used for education or training and with the 50 bodies, I really don't know what to say. There were no 50 attempts made to kill people. I repeat once again that all these products were used legitimately for research and training, and I confirm once again that I do not recognise a link between myself and this list, I do not know this list, I did not draw up this list, I do not know how he marked the list and I cannot give you any connections between Koos or Jan or whoever, because I do not know.

ADV POTGIETER: This issue, was it treated covertly?

DR BASSON: Adv Potgieter, the affair was handled covertly inasfar as it concealed the identity of Dr Immelman and Roodeplaat. Obviously the training wasn't handled covertly, even though there were very small groups, I talk of small groups of trained agents which were deployed in different parts of the world and they had to receive this kind of training, but the covertness thereof was in order to protect the identity of Immelman and Roodeplaat.

ADV POTGIETER: And these lists in TRC52, were they delivery lists, were records of deliveries?

DR BASSON: I do not know at all, Advocate Potgieter, I did not draw up this list, it's not my list, it's not my work, I was confronted with this the first time in February '97, so I cannot explain to you this list. I've already said that I do recognise some of these products and I do recognise some of the combinations, but it's not my list.

ADV POTGIETER: But does it seem as if it's a record of products or substances which were delivered to people who are not really identified in these documents?

DR BASSON: It looks to me like a list of products and mixtures, whether it's a delivery list, I do not know. It might as well have been a production list, I do not know.

ADV POTGIETER: And those names, do they look like code names to you?

DR BASSON: I don't see any names, I only see letters, I don't understand what the names or the letters mean, I did not write them there, I really do not know.

ADV POTGIETER: Thank you.

MR VALLY: You see - sorry.

DR RANDERA : Dr Basson, did you at any time request from Roodeplaat Laboratories, let's forget the list, the substances that we're talking about for the experimental purposes that you've been referring to, or is this just theory on your part as well that it's a possibility that this was produced? What I'm asking is, did you at any time request, for these practical and experimental purposes that you've referred to, any of these substances?

DR BASSON: Most of these substances and the combinations thereof were recommendations coming from Roodeplaat from their people. I cannot remember that I specifically requested for substance X, Y or Z. That I needed training substances and requested it, yes, and at some point, yes I did request some of these substances, for example the cholera, I do remember asking for a sample once, on the request of another party where we did certain genetic identification work with regards to it. Yes, some of these type of products, I can't tell you it's these products, but some of these type of products were used and requested for certain training purposes.

DR RANDERA: So besides the one time that you requested this yourself, are you surprised, as the head of this operation, at the number of items that appear on this list, it may have been collected over a period of time, but you yourself are only aware of one time where you requested this, and you're the head of this operation?

DR BASSON: I apologise, I expressed myself badly, I did not mean that I said I requested it only once, I used the cholera as an example, several times I did ask for certain equipment with regards to training purposes, and this could have included some of these items, the amount of times I cannot remember. If I look at the extent of the training and the extent of the research, I'd think that this is a minimal amount of things, and the extent of such a list would not surprise me, it's a small amount of substances, it's only the items, to make an allegation that you wanted to commit mass murder with any of these is, it's a flight of fantasy.

DR RANDERA: So, as I understand it, as the head of this operation, you could go to Roodeplaats at any time and say to Dr Immelman, as the head of the Microbiology Section there, "I'd like this for experimental purposes", and it would be produced for you, or what I'm trying to understand is, what's the process? From my understanding of what Dr Immelman said and what you've been saying, clearly they were involved in experimental work, now yet we have a complete list of substances, and I'm willing to accept your bona fides that this was for experimental purposes, but what I'm trying to understand is, how does this request come through? Is it only you, as the head of the operation, who

would be able to request these sort of substances, because you would accept, I mean even for lay people on the panel and listening, people will say these are potentially harmful substances, destructive substances. Yes, I mean I can pick up any medical textbook and it would tell me what the effects of cholera is and of salmonella typhirium is, but in the amounts that they were being produced, who would have that power to be requesting it, whether for experimental purposes or other purposes?

DR BASSON: Chairperson, on Dr Immelman's evidence alone, it's obvious that I wasn't closely linked to him, there was also this Chris and Koos and Karel or whatever, and I can't remember who they were, I was definitely one of the contacts with Roodeplaat, but it's not crazy to think that other people in this project also had contacts with Roodeplaat, it could have been straight from (indistinct) with regards to certain work they must have been doing, so I don't remember it, but it could have been possible, so I'm not saying I was the only person. It would also seem from the case from Dr Immelman's affidavit, that there were other people who could have been involved and who was working with other projects, and as leader of this project, I was daily too busy to look at every aspect. So no, the answer is I was not the only channel, there were probably more than one channel and I was not the only person who could make that request.

DR RANDERA: Dr Basson, sorry, I understand from these names that are being - Koos and the others that have been put forward, what I'm trying to understand, you as the head of this programme, are you aware of other people who could make these sort of requests? Are you suggesting that Dr Immelman had a parallel structure going perhaps with other agents who could request these sort of substances, which you aren't aware of, or was there other channels under you whereby people could go to Roodeplaats and say, "Listen, I want 20 bottles of beer with paraquat in it", and how would that be reported to you, as the head of this structure?

DR BASSON: Again I want to repeat, Chairperson, that I was not responsible as leader of this project for everything that happened, there were several people involved in the training teams, so the instructors who are available who use these things on a daily basis, and for the layman this list must look very impressive, but in fact it's just basic chemicals which could have been obtained at any specific place. Some of these people could have gone and done it on their own, but on our side, the reception side, there would have been a record when we received these things and how we used them. So within the limits

which is placed on such a structure, we were happy that there was efficient control of these substances.

CHAIRPERSON: Mr Vally?

MR VALLY: Dr Basson, just give us an example of what experiments you would carry out with 50 capsules of cyanide?

DR BASSON: I cannot remember the specific case, and I can also not comment on this right now, there are several training techniques which cyanide could have been used for. Remember Roodeplaat did some capsuling. I remember at one point we were doing specific work on free radical poisons which were invented by the Russians, where we used cyanide as a model for the treatment thereof, but further, except for that, I cannot remember. The capsuling could have been done only because it was a measure to dose and then it enabled the researchers not to have to go and look at the doses the whole time.

MR VALLY: You see, we have the advantage of having heard evidence from the doctor who manufactured this, Dr Odendal, and from the doctor who delivered the substances, we have his affidavit, Dr Immelman. Besides the cholera which would cause an epidemic, according to the evidence given to us by Dr Odendal, a lot of the other substances on this list could very easily kill quite a few people. Sure, it may not be thousands, but certainly a lot of these were lethal items. Would you accept that?

DR BASSON: Chairperson, I'm glad we're moving away from the level of genocide, so you're getting towards a smaller scale here. I'd once again like to repeat what I've said to Mr Vally, and I don't know how to make it more clear, I do not think that Dr Odendal would have prepared cyanide capsules, I don't think he actually knows how to make cyanide. As far as the rest of the stuff is concerned, I once again want to repeat, these chemicals are chemicals you can buy in a shop, you can go and get them. If we had some sinister need, why would I use Roodeplaat to do this? There was enough capability in other places without using Roodeplaat. Roodeplaat was meant to put models there and to do certain research with regards to treatment and antidotes.

MR VALLY: My question is, these items on this list, were they potentially lethal, at least some of them?

DR BASSON: Mr Chairman, I'm going to handle this question in an absurd way. Just as easy as any bottle of Dettol can be potentially poisonous, one bottle of Dettol is more dangerous than Virodene, because it kills the Aids virus, but it also kills the carrier. To say whether these were potentially lethal

is senseless. I can't see why this argument is made. It's not more potentially lethal than a bottle of Dettol.

MR VALLY: Thank you. You know I don't think people buy capsules of cyanide over the counter, but let's go on, there seems to be a preoccupation with trying to find substances which are colourless and odourless and are lethal without being traceable in post-mortems, I'm talking about items such as brodifarcum and monansin (?). What do you say about that?

DR BASSON: Mr Chairman, I'm going to answer that question. I've made out this matter for myself that I will complete TRC52 because we've started with that. I'm answering that question because it's an expansion of TRC52. If Mr Vally does not regard it as an expansion of TRC52, I want to tell you that I cannot answer the question because I don't have competent legal counsel. If he can assure me that this is about TRC52, I will continue.

The concept of a colourless, odourless, tasteless substance which can kill people is certainly an ideal which every country in the world has had for years. We can present documentation with the International Association of Police Chiefs already in the 1970's wrote thick documents how their task has been made difficult by the new generation of chemicals which are odourless and tasteless, thallium acetate can have no taste. We know that thallium is tasteless because the acid which you add to that, that tastes like vinegar. Odourless, tasteless is - with the Abiola sterk geval in Nigeria we had the example where some people held a post-mortem on his body, because these various toxins are there, and they said they could not find anything, because there's a large contingent of people who do not believe that. Every research, and it was part of my duty to protect the South African community or society against such an onslaught. From a defensive point of view, we looked at these substances without odour or taste. Professor Folb would say that that is just something which one cannot believe easily, there is no such thing as that. If you look at the research you can find with the right equipment you can trace anything. Work was done to identify these substances, but it's not something different from work being done world-wide, it wasn't a strange work and there was no preoccupation with this type of work, we did not give preference to this against ordinary defensive measures.

MR VALLY: With respect to your answer, Dr Basson, what would your comment be in relation to what Dr Van Rensburg said, he said,

"The most frequent instruction we obtained from Dr Basson and Dr Swanepoel was to develop something with which you could kill an individual which would

make his death resemble a natural death and that something was to be not detectable in a normal forensic laboratory, that was the chief aim of Roodeplaat Research Laboratory's covert side".

DR BASSON: Mr Chairman, the only comment I have is that one day I'm going to write the story of my life, it will be difficult to decide between Lakar(?) and Van Rensburg. I think Van Rensburg would do a better job than Lakar.

MR VALLY: Well are you saying, because you've just told us earlier that it was a prized after notion to try and find this odourless, colourless toxic or lethal substance, this is what Dr Van Rensburg says?

MR BASSON: Mr Chairman, I want to repeat, it was at a certain stage that everybody goes through that phase that they want this colourless, odourless, lethal substance, until you start reading about it and doing research. I'm repeating, it was part of our defensive project to do research whether something like that was possible, and I want to tell you, in this world of the chemical and biological warfare, it's the world where there is the most misleading happenings world-wide. What is the threat of the CBW? Not the substance, but the threat surrounding these substances. It's easy to say that one gram of a substance can kill a million people, but it's difficult to get one million people to stand in a row and inject all of them.

The whole concept, and I want to say it, the reason why CBW contains such a threat is because of the risk it entails. If I fight against an enemy and I know that he has chemical weapons and he throws some or other projectile on my troops and there's some or other red smoke and some or other person complains that his eyes are burning, what should I do in that regard? All that I can do for that person is say, "Put on your protective clothing" because I, as a commanding officer, do not have the ability to decide within a few seconds what has landed on you, whether it was a lethal substance, so the soldier uses his protective clothing, and that means the effectivity is diminished by 60%, he can't hear, he can't run, so he cannot fight, but the enemy who threw that on me, he knows exactly what he has thrown on me and he could have made the necessary preparations to safeguard his troops, or they could have told them, "Leave the clothes, just use the masks", in other words the enemy's effectivity remains the same, and this substance which he throws on me, we do not know what it is, just the threat that they can use something on me, that is what CBW is about, it is about making the playing fields unequal, and I want to force my enemy to take in a certain stand where he has to demobilise himself by using protective clothes and he is diminishing his capabilities to fight. If you can't

see, hear or run, it's impossible to fight. These are cardinal elements of warfare. The problem is that the toxic potential of most of these substances are over-emphasised. Where once we helped the Americans out of a predicament, where they heard that the Russians had developed a new CBW substance which goes through all filters and defence mechanisms. Through our channels, we obtained that from Russia and we analysed it and we saw that it goes through every defence mechanism, and the western countries were hysterical about this. Our approach was a bit different. We were not worried because it went through all the filters... (intervention).

MR VALLY: Dr Basson, I'm sorry, I haven't been cutting you short, because I realise you don't have legal representation and I have to be a bit gentler now, but we hear you, that's your whole overall thesis as to why the CBW programme was started, but coming back towards the question was... (intervention).

CHAIRPERSON: Mr Vally, can I have an indication how long you are still going to be?

MR VALLY: I would say, Mr Chairperson, approximately an hour 15 minutes.

CHAIRPERSON: I do not know if, Mr Vally, that's the length of time that I am ready to sit.

MR VALLY: We can take a short break if you want, Mr Chair.

CHAIRPERSON: I do not intend to take a short break, I intend to impose a time limit, I am definitely not sitting beyond half past seven, that's the worst I can sit.

MR VALLY: As the Chair pleases. The question that I started asking before your long answer was simply this, there seemed to be a preoccupation, and Dr Van Rensburg said so as well, with finding colourless, odourless toxic substances which cannot be traced in post-mortems, and you responded earlier on that that was a phase you were going through until you learnt otherwise. Am I to understand you correctly?

DR BASSON: No, I didn't say it was a phase we went through, I said it's a phase that most countries have gone through. We went through that phase rather more quickly than most other people, because we had the advantage of their technical information which we could use.

MR VALLY: So there was a period when we were looking for those substances?

DR BASSON: No, Mr Vally, I'm going to say this for the last time, we were not looking for those substances. It was part of my instruction to watch out for the possibility that those substances were there. My instructions to researchers were clear, "If you obtain any information or hear about or have certain flights

of fancy, do research about this so that we can develop the necessary protective measures for the South African society at large".

MR VALLY: So the research into brodifarcum and monansin was not related to this?

DR BASSON: Mr Chairman, I can't, really can't remember where the brodifarcum and monansin research fitted into this whole picture, I can't comment on this, it's been years since I've last worked with this substance, whether those are tasteless, odourless or colourless, I don't know. If it so, it could be possible that the research could have been done and then we had to determine whether this was a threat for the South African society in its whole, or whether on an individual basis against certain agents. I want to tell you that these tasteless, odourless, colourless substances, and I'm glad I'm not going to be involved in that in September, in the non-aligned conference is going to be held in September, South Africa is going to see what is protective measures for heads of states and dignitaries, because there are long, bizarre protective measures to protect their dignitaries. We didn't do more or less than any other country in the world would have done.

MR CHASKALSON: Mr Vally has urgently gone to answer the call of nature and apologises. He requested a two minute recess whilst just

CHAIRPERSON: We'll take a two minute recess, or Dr Randera, do you want to step into the breach?

DR RANDERA: Dr Basson, maybe we can take up this time by some questions that I've been wanting to ask you.

DR BASSON: You're stacking the odds against me now, I'm supposed to be facing one at a time.

DR RANDERA: Unless you want to also answer to the call of nature.

DR BASSON: If I do, I'll request a 45 minute break for that.

DR RANDERA: Prostatism ! Alright. Dr Basson, I want to take you back to what you said this morning about your entry really into the world of chemical and biological warfare, and that was that conference you went to in 1981, well, around that, 1982?

DR BASSON: Ja, that wasn't, the conference wasn't the entry point, the entry point was before that.

DR RANDERA: Sure, okay, but I believe it was... (intervention).

DR BASSON: The conference was one of the consequences.

DR RANDERA: It was part of the build-up towards this programme. And when asked the question as to how, because you said it was relatively easy to be

accepted by your fellow scientists, you were going there with your MD in cardiology and interacting with these individuals, and part of the rationale, as I understood you saying people accepted you so easily was that there was this, there was the cold war going on, and the fear of what the Eastern Bloc may have achieved, was in the process of achieving, now what I'm trying to understand about that period is that, you know if one looks at, particularly the countries you mentioned, the United States, Britain, Canada, Australia, that really was the height of the anti-apartheid movement developing, there was a consciousness, there was a snowballing effect taking place in Europe, but yet you're saying that amongst scientists the more major concern, here you were, you know, an affirmative action appointee from the eighties... (intervention).

DR BASSON: With potential, no ability.

DR RANDERA: ...going and travelling into these countries, being accepted, as you say, your qualifications seemed to be accepted without too many questions. You were quite straightforward with them and they were willing to share your viewpoints, and so what I'm trying to understand is, are you saying that scientists were more concerned about Eastern Bloc potential threat and communist threat than what was happening in South Africa, that there wasn't a concern by them towards the plight of millions of black people in this country?

DR BASSON: Dr Randera, I think that's a slightly loaded question, but I'll try and answer it to the best of my ability. I personally did not experience the anti-apartheid feeling in Europe. When I was there, I was not influenced by that. That was not part, and I'm not for or against that, I only experienced that the scientists I had contact with were worried about weapons of mass destruction, because they had the potential to be very harmful, when we saw in Tokyo, for example, with the subway incident. The assistance I obtained was direct and indirect. Some of the scientists were really worried about what the Eastern Bloc countries were doing. Some of the scientists were more worried about what was happening in their own countries, and much of the information I gathered came from physicians for human rights. What they did, they watched their governments so carefully to make sure that nothing would happen and they used the democratic systems in their own countries to obtain information and to force information from the government, and then they don't sell it, but they tell it to everybody else. The same way in which SIPRI, Stockholm International Peace Research Institute handled their affairs. We know that was a cover-up for the Eastern Bloc countries, because they were collecting databases of old

chemical and biological warfare research countrywide and then made it available to embarrass the relevant countries.

The answer I want to give you is a combination of yes, a great number of these scientists were afraid of the Eastern Bloc countries and saw us as a channel through which their problems could be addressed, and many of them were also worried about what their own governments were doing, and anybody who had a sympathetic ear, not about apartheid but about their own political situation in their countries, and that's why they provided us with information.

Apart from my South African passport making it very difficult for me to travel, I did not experience the apartheid problem in the scientific world, and there was no discrimination against me in that regard.

DR RANDERA: I see Mr Vally has returned, so let me hand over.

MR VALLY: Thank you for the indulgence, Mr Chair. Dr Basson, can you explain to us why is it that General Knobel's attitude when he saw this list, TRC52, and it was put to him that these were items amounting to murder weapons in a sense, he conceded that?

DR BASSON: Mr Chairman, my legal adviser advised me not to speculate any comment on why General Knobel thought. What he was thinking is speculation, I please don't want to speculate, I don't know why he had said that. All I can say is from my own experience that that list is nothing more dramatic than you will find something in a corporation in a rural area regarding poisonous effect.

MR VALLY: It's a strange place you shop, Dr Basson, because cyanide capsules and paraquat in whisky and salmonella in sugar and thallium in beer and typhirium in deodorant, etcetera, etcetera, is not something one buys at the normal supermarket, but my question... (intervention).

DR BASSON: Mr Chairman, I've already commented on this. Will you please ask Mr Vally not to repeat these allegations. I can't deny that again.

MR VALLY: Did General Knobel know about these items?

DR BASSON: I can't say that General Knobel knew about this. He knew about the defensive programme and that this defensive programme was executed on a broader level. In the sense of counter-intelligence, for example, General Knobel knew about that. To ask him whether he was aware of the specific list is to ask the same if I was aware of this list. I was not.

MR VALLY: You were the project officer, he was the project manager. Did he know that you were making such substances, such combinations of... (intervention).

DR BASSON: Once again, I can't answer that question. It's just like asking me whether I know that the theatre sister has not sterilised the instruments this morning. This is operationally a very low level, much lower than which Knobel functioned on. He was aware of the concept, yes.

MR VALLY: Right. So he was aware that you were mixing thallium with beer, he was aware of that?

DR BASSON: Mr Chairman, I've already answered the question, I've said General Knobel was aware of the concept. I'm going to say that for the last time. I don't know whether he was aware of every single substance, I don't know whether he was aware of this list, I did not know about the list.

CHAIRPERSON: Do you think you can take it further than that, Mr Vally?

MR VALLY: Well I just want it noted that when this was put to General Knobel, he did look quite aghast and he agreed that these were instruments of murder.

CHAIRPERSON: Well, the witness doesn't seem to be saying that should not have been so, he says he was aware of the concept, but whether he knew the specifics, for instance whether he knew that there was that particular list with that sort of contents, he cannot say.

MR VALLY: Well, if we ignore the fact of the list, was he aware of these specific ingredients being mixed together, forgetting the list?

CHAIRPERSON: Well if you can put that to the witness.

MR VALLY: Dr Basson, did General Knobel know about these specific mixtures of items, these combinations?

DR BASSON: My answer remains the same as the previous answers, I don't know.

MR VALLY: So it was possible that the project manager was kept in the dark?

DR BASSON: Mr Chairman, no, I refuse to answer that question, because the question is so broad, I'm not a legal person, but to ask whether the project leader was held in the dark, it's such a broad question I can't answer.

MR VALLY: In respect to these mixtures of items, where toxins were mixed with normal everyday substances, was General Knobel aware that lethal toxins were being mixed with everyday substances?

CHAIRPERSON: But has he not replied to that? He says he doesn't know. That's what he has said, that's what I have heard him say over and over again, he does not know, he doesn't know what General Knobel... (intervention).

MR VALLY: Mr Chair, I disagree with you, with respect. I'm trying to determine whether, what concept means, concept may just refer to that the... (intervention).

CHAIRPERSON: Very well, Mr Vally, put your questions.

MR VALLY: For the very last time, Dr Basson, did General Knobel know that you were experimenting with mixing thallium with beer, for example, or whisky with paraquat, that is toxins with everyday substances that you could buy in normal shops, did General Knobel know this?

DR BASSON: For the very last time, I don't know.

MR VALLY: I put it to you that the fact that you can state such a thing means that you were not responsibly accounting for your activities to General Knobel?

DR BASSON: Mr Chairman, this is a conclusion I cannot agree with. In the broad context of this project, this would have only been a small part of this project, to allege that there was not a responsibility in accountability because Knobel did not know about thallium in beer is just absolutely absurd.

MR VALLY: We move on from TRC52. There was a question that you started answering and then we moved off that topic. This question related to whether you were aware of any scientific basis for considering, and I used the drugs dagga, mandrax, cocaine, ecstasy, whether you were aware of any scientific research in which these items were used as incapacitants. You then responded by giving us an explanation what incapacitants were. I want to hone my question a bit further. My question is simply this, are you aware of any published scientific research in any journal internationally where any of these substances have been discussed as incapacitants in the sense of being part of a chemical and biological warfare programme

DR BASSON: Chairperson, at this point I'd like to explain to you that we've moved away from TRC52 now and Mr Vally's question to me before was simply was I aware of any scientific basis and I tried to explain that to him. If Mr Vally's going to continue with regards to these incapacitants, then I'd have to excuse myself and say that I cannot answer these questions because I do not have competent legal representation, except I would like to make one general comment, that if Mr Vally thinks that in general, with regards to chemical biological warfare research, at the head of the line in the general literature all over the world, it was ever published, then he lives on Planet Zero, he doesn't live on earth. What would appear in international publications is basic pharmacological research. I think there's enough pharmacological basis to describe all these substances as incapacitants. You cannot drive a vehicle

because you smoke grass, therefore it is an incapacitant, and the same goes for cocaine and several other of the substances mentioned. So I don't think it has to be described in international publications, I think the government forced us to expose this project to the American and the British Intelligence Services, and there was questioning for six days and none of the Americans or the English expressed surprise that we've been doing this research. As a matter of fact, a lot of them came to certain realisations and I think we did cause a bit of proliferation there when we gave the information where they thought they wouldn't receive any, and that's as far as I'm prepared to answer that question.

CHAIRPERSON: Mr Vally?

MR VALLY: You see, Dr Basson, it was a lot more than just experiments. We have submitted documentation to you which shows that Delta G, under the auspices of Project Coast, of which you were the project officer, manufactured 1 000kg of methaqualone, the active ingredient of mandrax, it manufactured 1 000kg of ecstasy, you personally arranged for the importation of at least 500kg of methaqualone or mandrax from Croatia, you were personally given at least 200 000 mandrax tablets, 250kg of dagga, handed to you by General Neethling for you to put in the boot of your car without any documents which you had signed for it. We're not talking about small quantities for experimentation, we're talking about huge quantities. How do you explain the fact that you were manufacturing such large quantities of illegal substances?

DR BASSON: Chairperson, it's late, I'm tired, can you please ask Mr Vally to make his questions short, I lose him halfway through his question. I'd answer his question in this manner: it's not so that General Neethling just gave us drugs. There are signatures, there are delivery proofs of everything that he's given us. That's available at the police forensic laboratory and we signed for everything we received. So it wasn't like it was in the boot of my car. By chance it was loaded into the boot of my car, because that's the only transport we had available to us, we didn't have Coin Security to work for us, the fact of the matter remains the quantities of which one speaks here is not as absurd as Mr Vally makes it to be. Has Mr Vally got any idea what the monthly use of mandrax is in Cape Town? If you can convey that to him, he'd probably find a completely different perspective with regards to this 1 000kg, and we have difficulty getting these facts from the South Africa Police, basically because they do not know, but if you go to look at projection figures and that which they confiscate, then one can accept that a 5% effectivity of the South African Police Department today is quite an acceptable level of success, then we talk about

that 1 000 of kilogram, it's probably used up within a month or two in totality. So I don't know why Mr Vally is concerned about 1 000kg, half of it was burnt and half of it was anyway thrown away, and we did it to create a pyrotechnic mechanism, and before I could finalise that, I used hundreds of kilograms to find the right recipe, you just don't throw a chemical substance into another mixture and then set fire to it, you've got to test different proportions, different quantities, different temperatures, and the problem with pyrotechnics is that you lose about 80% of your actual substance, a great variety of experiments must be done in order to check this combustion reaction, so one uses hundreds and hundreds of kilograms in an effort to do this research.

So as far as the quantities are concerned, all I can tell you is that, in the broad spectrum of things, if Mr Vally wants to allege that these substances reached the streets, then I'd like to say that we could have made a month or two difference in the amount of time people's been using that drug. To determine the amount of mandrax, thousands of kilograms a day is produced in India, which is spread all over the world. So to talk about 1 000 or 1 500kg against the background of the years and years of abuse, then it's nothing. It was one confiscation, they were all packed in the same manner, so it was the result of one confiscation by the police, and there were hundreds and hundreds of confiscations in the last few years. So the quantities has to be placed into perspective, it's not absolute quantities.

CHAIRPERSON: Would those remarks also cover the quantity that has been mentioned in respect of ecstasy?

DR BASSON: In the broad context, yes. And probably much more, because the amphetamine preparations are more acceptable than the methaqualone ones, for the user that is.

CHAIRPERSON: Dr Randera?

DR RANDERA: So, Dr Basson, are we to understand from what you're saying that although we have this report of the production of 1 000kgs of mandrax and 1 000kgs of ecstasy by Delta G, from what you say in terms of experimental use, you probably used much more than that, and therefore was that being produced by Delta G and we're not aware of that, or did you get, was the extra kilograms of mandrax or ecstasy or cocaine or whatever substance you were using, was that received by other purposes?

DR BASSON: Dr Randera, we are moving very close to the detail of the criminal case. I would like to answer you as follows, by saying that the amounts which were produced by Delta G in totality was not enough to make a

real difference in the South African narcotics market. As far as I know, and I'm prepared to stand at this fact... (intervention).

DR RANDERA: I'm not even referring to the narcotics market... (intervention).

DR BASSON: Ja, okay.

DR RANDERA: ...I'm referring to the experimental use that you're referring to.

DR BASSON: That's part of the problem, because at this stage there is conflict between myself and the people who are bringing charges against me with regards to how much was used and where it is, so everything which was manufactured was either used in research or destroyed, and that's as far as I'll go to answer that question. I can give you the assurance that those substances did not reach the streets of South Africa.

CHAIRPERSON: Mr Vally, in the following 20 minutes.

MR VALLY: You see, Dr Basson, and it would be nice if you gave us quantities of mandrax being used in Cape Town just now, but from your understanding, it takes 150mg of methaqualone to produce one mandrax tablet, so 1 000kg would be approximately six million tablets, six million, and we're also talking therefore, if you take the price of a mandrax tablet, as I've been advised the average price is about R25,00, just for the 1 000kg of mandrax, we're talking about 150 million rands worth on the streets. In terms of the ecstasy, if you work on a price of R100,00 an ecstasy tablet, we're talking about 600 million rands worth on the street of ecstasy, we're talking about huge sums of money potentially available to anyone who produces the substances and puts it on the street. Now... (intervention).

DR BASSON: Chairperson, this is a long question. I've already forgotten what he said in the first few sentences.

MR VALLY: Now, would not the temptation be extremely great to manufacture these substances for your own profit?

DR BASSON: Mr Vally, for the last three days I was tempted by the girl behind me. We're all subjected to temptations. The fact that the temptation was there does not mean that I succumbed to that.

MR VALLY: I see.

DR BASSON: And first I'd like to answer that Mr Vally must sort out his facts.

CHAIRPERSON: You are making that lady blush, Doctor, she's blushing, she's crimson red with blushing, please.

DR BASSON: I was hoping to achieve more than that, Mr... (intervention).

CHAIRPERSON: Well... (intervention).

DR BASSON: I just want to correct Mr Vally, I'm not a pharmacologist, but I'm not sure that 150mg methaqualone is the right ingredients, then the Indian manufacturers probably dropped their standards, because the original mandrax which was sold in pharmacies had 250mg in it, so as far as the quantities are concerned, when mandrax, mandrax was still recently a legitimate sleeping tablet, until some brilliant street, I don't know what to call them, some or other user decided to smoke it, and that is how it's used, you don't drink it anymore, you smoke it together with dagga. So if you want to allege that six million tablets could be made from this, then he's never been in a factory, because you can't provide for every 250mg, there's losses on both sides, so I don't want to comment on his projections, but I'd like to say that at the worst the projections he's made are uninformed, and the financial side of things, I'm not sure if Mr Vally's figures are correct or not, I don't buy mandrax on the street level, R25,00 sounds quite like a bargain to me, because I thought it's a bit higher. I do not know if I can give any further comment on account of what Mr Vally just said.

CHAIRPERSON: Mr Vally?

MR VALLY: There has been a request from my colleague here that Dr Wouter Basson withdraw his sexist comment regarding the young lady behind him.

DR BASSON: Chairperson, if I offended anybody in this audience, including this young girl, I really apologise, I didn't mean to do anybody harm or to take anybody in the face. I'd stand on my knees if I have to, I don't know how you can ask for an apology more.

MR VALLY: If you manufactured 1 000kg of methaqualone or mandrax at Delta G... (intervention).

DR BASSON: Can I just make one comment, I just want to, I was actually interested in her cooking ability, if it was thought that I'm interested in anything else, then that's not the case.

MR VALLY: I think Dr Basson is being frivolous and ridiculous now. I think I'm treating him gently, because he has no legal representation and he's taking advantage, sir. I think he must be put in his place and (indistinct).

CHAIRPERSON: No, Mr Vally, no, Mr Vally, please, please, can we take into account my time limits that I've put, and I will stick by them. You are wasting more time now by this.

MR VALLY: Well let's go on, Mr Chair, thank you. If you had the capacity to manufacture methaqualone and you manufactured 1 000kg, why was it necessary for you to go to Croatia and order another, buy another 500kg from Croatia?

DR BASSON: Chairperson, that question's got a direct bearing on my criminal case, and without competent legal representation, I cannot answer that question, except by confirming, like I've said before, that all methaqualone which was obtained was either used or destroyed.

MR VALLY: I put it to you that the 2 300 000 US dollars which were used allegedly to purchase this methaqualone from Croatia either was not paid or alternatively that the methaqualone itself was not used for the purposes that ostensibly you claimed it was used for?

DR BASSON: Chairperson, Mr Vally's now asked two questions. Could he ask me which one he wants to ask me, because I don't know what he wants to know?

MR VALLY: Well, you deal with them one at a time. You were given 2 300 000 US dollars by virtue of a phone call to your friend, Jacome, he was to disperse this money. There was no control over it except by you. Do you accept that?

DR BASSON: Chairperson, no, Mr Vally is on an area now which has got direct bearing on my court case, I dispute the facts as he's put it there, there was no such system where I could receive 2 300 000 dollars or francs or anything else, that's not true. There was a specific procedure in which the approval had to be given to funds, and in the broad terms there was control over this and I cannot give him any further answer to that question, except to say that it's untrue that it was on whim phone call by myself it was handled and furthermore I cannot answer any further questions, it's a new terrain, this is a new area and it's got direct bearing on my criminal court case.

CHAIRPERSON: Mr Vally, with respect, I mean in view of everything else, from time constraints and everything, do you have questions that might, I understand what you're trying to say, but do you have questions that would impact on gross violations of human rights and perpetrations thereof, rather than matters that border on economic crimes?

MR VALLY: With respect, Mr Chair, and I won't be much longer on this issue of the drugs, but mandrax in particular has been a scourge in our communities, amongst our youth, particularly in the black townships, and there's certainly allegations, a thread of allegations running through this entire hearing, that it's possible that people like Dr Wouter Basson purposely enslaved our youths for their own purposes.

DR BASSON: Can I please interrupt this political discussion now? There's no indication that mandrax was ever produced in this project, it was basically methaqualone and derivatives thereof, which is one of the substances of

mandrax, produced, we produced that. It's not mandrax which was produced. If Mr Vally can give me evidence of one mandrax tablet, then I'll tell you then I'll be very surprised, there is no such evidence. Everything which was produced, and that was methaqualone and the derivatives, in order to facilitate absorption in combustion techniques. Mandrax was a scourge in the Eastern communities long before this project actually existed, we did not invent this and we did not spread this. We are not responsible for any enslavement of anyone, and if Mr Vally is making allegations like that again, then I would have to stop taking part in the answers to these questions. It's unfair to put it that way, there's no evidence and there's also no allegations as far as I know.

MR VALLY: Mr Chair, I want to finish off the drugs allegations, because I want to move on to another item, but there are allegations, and I will put it to - if the Chair permits me, regarding time, but there's two issues that I want to quickly deal with, and I have to move faster. You are aware of the Drug and Drug Trafficking Act No 140/92, Dr Basson? If you are not, say yes or no.

DR BASSON: Chairperson, I'm not a legal person.

MR VALLY: Fine. I will read you what part 3 of this Act says, under the heading:-

"UNDESIRABLE DEPENDENCE PRODUCING SUBSTANCES"

it says:-

"Methaqualone, including mandrax, isonox, Quaalude(?) or any other preparation containing methaqualone and known by any other trade name."

Clearly in terms of the legislation, mandrax is a trade name for methaqualone. So let us not fool around with that issue.

DR BASSON: That's not true, Chairperson, he's basically raping basic scientific knowledge. Methaqualone is one of the substances of mandrax. Mandrax has got a different one, diphenhydromine(?), which is also part of mandrax, which is a more addictive substance. So you'll find it in cough medicine and other medicine which has got anti-histamine, and it's actually treated by that. So to make an allegation that methaqualone alone is addictive is absolute rubbish, there's no such thing, it's the combinations which cause the effect. If mandrax was so addictive, would the user find it necessary to mix it with dagga? Mandrax is not used on its own. So you have a combination of three substances which work on the brain at one time. Addiction is parallel to the amounts used, and not about one specific substance. So I'd like Mr Vally to just stop raping basic science.

MR VALLY: I think Dr Basson fell into it with his cholera argument and I will repeat what I've said about methaqualone. Methaqualone itself was no better than what we know as mandrax, and the point is that in terms of our legislation in this country, methaqualone in itself is as evilly regarded as mandrax, it's contained in the same sentence. However, I want to move on from this item... (intervention).

DR BASSON: I'd like to point out to Mr Vally that weapons and ammunition are also controlled in this country.

MR VALLY: I accept his explanation, we'll make our conclusion about it before, he's wasting time purposely. I also want to talk about an affidavit by Mr Jacome, Annexure G3, which Dr Basson has been given. This was an affidavit made by Dr Jacome, who was used by Dr Basson to transmit money to Croatia to buy methaqualone. This affidavit was made at the South African Embassy in Bonn on the 21st of January 1987 I believe. No, no, I beg your pardon, it looks like there was a mistake here, on the 13th day of August 1994, I beg your pardon. He says:-

"During November 1992, Dr Basson arranged for an amount of 2,3 million US dollars to be transferred to my existing bank account in Zagreb."

He goes on:-

"A few days after the money was transferred to my bank account, I received a telephone call from Dr Basson and he instructed me to effect two payments in cash of 450 000 US dollars."

One can go on with a number of these documents, and we in fact put it to General Knobel that Dr Basson, just by using the telephone, was able to control millions of US dollars, and General Knobel conceded this. I put it to you, by virtue of this affidavit, that you are being dishonest at this hearing when you say that you were not in control of such sums of money, in sole control, where the person on the other end receives a phone call from you to give it to someone else who gives certain codes, that you are being disingenuous with this Commission again when you say that you were not in control of such large sums of money?

DR BASSON: Chairperson, can I please answer this question? I find this upsetting, because we're once again moving in the economic area and instead of we're sticking to human rights violations, but if Mr Vally wants the answer, I'll give it to him. The basic process of financial control in the South African Defence Force and specifically Project Coast, worked as follows. Annually there was a budget meeting and during this budget meeting certain goals and

objectives were approved and specific amounts of money was allocated to them. After these amounts were allocated, the projects for the year were then further implemented. When the money was needed for a specific goal, the CCC or the financial management work group got together and if the amount was above a certain level, I can't remember the level, then approval was once again given that this amount of money be spent. Now if this amount had to be spent, General Knobel wrote an authorisation where he authorises the spending of the amount of money. If the spending of that money was authorised, then I could have taken that authorisation to the financial official of the project, and then he could get the funds to flow. I had no signing authorisation, there was no way for me to control it. If there were transfers to abroad, then we received authorisation from the South African Reserve Bank. The CCC went to the South African Reserve Bank and to explain to the officials why the money was needed, in broad terms of course with regards to the secrecy, and to make sure that it's an official state transfer through the proper channels. After this was done, the financial official then went back and the funds were then spent.

Once again I'd like to say I did not have control over millions of dollars, I couldn't pick up the phone and do transfers or arrange transfers, I couldn't just phone people and give them codes, there was quite an integrated approval process. I concede that at certain times when certain operational decisions were made quickly, I did have some discretion, but those discretions was not unapproved, and if I made my own discretion, it was approved de facto.

So to make an allegation that these millions was involved in any sense, firstly, in an uncontrolled process, and secondly in the violation of human rights or the buying of drugs to enslave South African people, the South African people did not need our assistance, I think they're more than willing to take their own risks and to obtain their own medicine in their own fashion, and I want to add, as far as Mr Jacome's affidavit is concerned, I have no control over that, I was not there, I was not present when it was taken, I did not influence him, I did not take his statement down in any way, I do not know why Jacome said what he said.

CHAIRPERSON: Now, (indistinct) half past seven, which is the time that I indicated that I will not like to sit further than. I do not know whether, as an act of grace, you do not have a few questions which you can put in ten minutes.

MR VALLY: Thank you, Mr Chair. Dr Jan Lourens advised us that you instructed him to make certain applicators which were screwdrivers which had a capacity to inject or stab toxins into people, walking sticks which did something

similar, or could shoot pellets of poison into people, what's your response to this allegation?

DR BASSON: My response to that allegation is the same as to TRC52, every security service has that equipment to be used and it is being used... (intervention).

MR VALLY: Dr Basson, sorry, we don't have much time, do you confirm that you did give him such instructions?

DR BASSON: To put this in perspective, I have to give the answer like what I'm doing. Mr Lourens' answer was out of perspective and I'm asking you to give as complete as possible an answer to give you the broad perspective and the full picture. The answer is as follows: every service uses this type of equipment. It was part of our research instruction to investigate these things, it was not part of my project, this was handled by the technical director of special forces, Brigadier Engelbrecht, and this was conveyed to me by him. I served as an intermediary between Engelbrecht and Lourens. If Mr Lourens was under the impression that any of those screwdrivers he made could be used, those screwdrivers without poison were lethal, they were so large and so big that you could kill a cow with that. It was important to see what the threat was, how it could be executed and how they had to be put together. There was not the intention with the instruction from my side to manufacture murder weapons and I'm not aware of any individual or any instance when these weapons were used or were being planned to use, or where anything was issued for lethal purposes, they were only issued for technical evaluation.

MR VALLY: Well, these items which were issued for technical evaluation, and you're confirming that you did instruct Dr Jan Lourens to manufacture these, Dr Jan Lourens also advised us that he was asked to deliver this murder weapon to an agent in London. What's your response to that?

DR BASSON: My answer is that Dr Jan Lourens is a miracle. Anybody who could drink a bottle of Dettol would not remember long enough... (intervention).

MR VALLY: That was not my question, Dr Basson, my question was, did you instruct Dr Jan Lourens to deliver such an item, an applicator, to an agent in London, or Britain rather?

DR BASSON: I did not give Mr Lourens instruction to deliver an applicator to an agent in London.

MR VALLY: What's your relationship to the CCB?

DR BASSON: As a member of the South African Medical Corps and I knew I had to support all elements of the Defence Force in a medical way, I was responsible for medical support to the CCB.

MR VALLY: Did you supply them with any toxins at any stage?

DR BASSON: No.

MR VALLY: Did you supply them with any applicators at any stage?

DR BASSON: No.

MR VALLY: Were you involved in any of the operations whatsoever?

DR BASSON: No.

MR VALLY: What kind of medical support did you give them?

DR BASSON: Medicine.

MR VALLY: What kind of medicine?

DR BASSON: Pain killers.

MR VALLY: So your only involvement with CCB was to give them pain tablets, is that what you're telling us?

DR BASSON: Mr Vally, I provided medical support to the CCB, like I provided medical support to the rest of the Defence Force, when they were ill, I treated them. If I could not do that, I arranged for their treatment. If they needed medicine, I provided medicine. If they required medical training, I provided that. I did not provide that personally, I arranged that through the unit. That was my involvement with the CCB, all-encompassing medical support to a recognised component, an official component of the Defence Force.

MR VALLY: Are you aware that Ferdi Barnard was convicted of attempted murder regarding the attempted murder of our present Justice Minister?

DR BASSON: I know nothing about Ferdi Barnard's situation.

MR VALLY: Do you know Ferdi Barnard?

DR BASSON: I've never met him before.

MR VALLY: Do you know there was an allegation that Ferdi Barnard was supposed to introduce a toxin into an item of food which the present Minister of Justice would consume and then get a heart attack, are you aware of such an allegation?

DR BASSON: I am not aware of such an allegation, but I would view it in the same light as that the British wanted to poison Hitler by putting poison in his water. I did not try to compare the present Minister of Justice with Hitler, I tried to explain the action.

MR VALLY: Weren't you a member of the "binnekring"?

DR BASSON: I am not aware of such an organisation, can you explain what that means?

MR VALLY: I will. "Binnekring", English word "Inner Circle", was a group of senior military officers within the South African Defence Force who are mentioned as a grouping, a sinister grouping, by the documents surrounding the Steyn Report, and I will show you the specific reference if you want to.

DR BASSON: Mr Chairman, I have no knowledge of the Inner Circle. The only knowledge I have is what I saw on a television programme on TV. I do not know the Inner Circle, I don't know of the existence of such an organisation, and I deny that I have ever been part of such an organisation, whether it's the Inner Circle or one or other sinister military organisation. I was part of the ordinary Defence Force which had to support the government of the day.

MR VALLY: Are you aware of what's referred to as the Third Force?

DR BASSON: No, Mr Chairman, I'm not aware of a Third Force. I hear this terminology used in various ways. The only contact I had with a Third Force was a concept developed by the British in their various invasions, when they used a mixture of the police and the Defence Force to curtail local uproar. It's a kind of a para-military force, like the Gendarmes in France. I'm not aware of Third Force activities. I read about it in the newspapers, but nobody could define what it really entails.

MR VALLY: Do you know or did you know Mr Alan Kidger?

DR BASSON: I don't know him at all.

MR VALLY: You're aware that he was killed a short while after he delivered a large quantity of mercuric oxide to Delta G?

DR BASSON: I'm not aware of it, that Mr Alan Kidger has died, I'm not aware about this person delivering mercury oxide, this was without my field of experience, and with permission I can think of no reason why anybody would kill anybody about mercury oxide, you can't do anything with that and it's used as a catalyst in a chemical reaction. If Mr Vally wants to insinuate that he was killed because of the mercury oxide, I don't know, it's just as well to say that you kill somebody about Virodene.

MR VALLY: I want to ask you a question regarding the destruction of the - and I'll, rather than call it the destruction, I will call it alleged destruction of the drugs on the 27th of January 1993. There are a number of inconsistencies regarding the information you supplied to the co-ordinating committee and in the limited time I have, I want to point out some of them.

Firstly, I refer to Annexure E3. This is the certificate regarding the destruction of chemical products on the 27th of January 1993. There's reference to product M, 18 blue plastic drums. Would this be mandrax or methaqualone?

DR BASSON: I don't have this document in front of me. The destruction of the substances has to do with my criminal case. I have no comment regarding destruction of the substances, apart from that it had been destroyed as was explained. We considered it, in which way to get rid of these substances. After the Minister of Defence had given instruction to destroy this, I had to see to it that they were destroyed. I have no comment about how it was destroyed, because I was - it's too near my criminal case.

CHAIRPERSON: I don't think we can take that aspect any further, I seem to recall it that even beforehand, when these questions around destruction of these drugs were mentioned, it seemed to have been the attitude of this present witness.

Can I just ask you a few questions of my own, Dr Basson? Were Drs Deon Erasmus and Bothma involved with the CBW programme?

DR BASSON: Mr Chairman, it's a difficult question to answer, to say whether they were involved or not. Involved in the sense that they were medical officers at 7 Medical Battalion, or that they were involved in defensive training, in other words the use of masks, etcetera, etcetera, and protective clothing, being part of the instructions of the 7th Medical Battalion. Whether they've provided medical support, there was a certain emergency plan ready. Should any of the research laboratories make an accident with these substances, they would be able to treat those people. It does not mean that they knew what was happening there, it does not mean that they were involved, that they played any role in the project as such. This is a roundabout answer, but they were indirectly part of this as members of the 7th Medical Battalion.

CHAIRPERSON: Were they also ranked members of the South African Defence Force at that stage?

DR BASSON: As far as I know, both of them were, of these two people were members of the permanent Defence Force, and they had ranks before they left the country.

CHAIRPERSON: Mr Vally, any more questions?

MR VALLY: Yes, just a last few questions, I want to point certain things out to Dr Basson. Dr Basson, you were asked to resign, or you were put on early

pension, although you are reasonably young still, from the Defence Force, apparently on the instructions of President F W de Klerk, is that correct?

DR BASSON: The message was conveyed to me like that, De Klerk never told me that himself personally, but that was the message that the head of the Defence Force conveyed to me.

MR VALLY: And when did this happen?

DR BASSON: In December 1992.

MR VALLY: Are you aware that there was an investigation carried out by General Pierre Steyn?

DR BASSON: I've heard about this so-called infamous Steyn Report, I've seen a few notes, but I've never seen the report.

MR VALLY: Well, we have given you documents relating to the staff paper prepared for the Steyn Commission, it was marked TRC, I believe, 111, 111, you were given this with your... (intervention).

CHAIRPERSON: Where are we getting to, Mr Vally?

MR VALLY: I want to point out to Dr Basson the allegations which were being made which may have caused the then government to put him on early pension.

CHAIRPERSON: Put the allegations, Mr Vally, we haven't got time.

MR VALLY: Certainly. The first allegation, and if you want to look at TRC111 - you don't want to? That's fine. The first allegation, involvement in a chemical attack on Frelimo, that's the alleged activity, persons involved - Brigadier Basson, Brigadier Van Wyk, Colonel At Nel - information supplied by sources. The chemical attack on Frelimo troops in Mozambique, and look at also something else, was after allegations, a practice run, an unmanned observation plane dropped bombs and was tested near Komatipoort. The... (intervention)

CHAIRPERSON: Is that the allegation you are putting to him?

MR VALLY: This is what is, I'm trying to translate it verbatim, especially as my copy is quite poor, Mr Chair.

CHAIRPERSON: By writing, we get this... (intervention).

DR BASSON: I handle this memorandum I've seen regarding the Steyn Report with contempt, it's one of the poorest information documents I've ever seen. If you look at that report, it's very clear that whoever was responsible for compiling that document is unclear about most of the information. There was a problem regarding my own identity. Up to 1996, our own National Intelligence, in a bail application I had, still confused my identity with that of another Basson. Regarding the allegation, I want to say the following: that so-

called attack on Frelimo has been investigated properly, initially by the British Intelligence. The attack on Frelimo was investigated in detail by an inexperienced doctor sent from Britain. We warned him that he was busy not to be able to do his work, he hasn't worked in Africa before, he doesn't know Africa. After his report, where they found it was a chemical attack, the United Nations sent representatives and their report was very clear - such an attack never had happened. How can I be guilty of something that had never happened?

MR VALLY: The further allegation herein, that you were responsible for all eliminations or orders to eliminate persons on behalf of the Defence Force and you were intimately involved with General Botha and Neethling. What's your response to that?

DR BASSON: Mr Chairman, two questions again. I don't know what the relationship between the two are.

CHAIRPERSON: Well I think what he's trying to say is that, in that, I see (indistinct).

DR BASSON: Is he trying to say that Lothar Neethling was also involved, or not?

MR VALLY: Exactly.

CHAIRPERSON: I think that's what he's trying to say.

DR BASSON: I would comment as following: intimate relationship with General Neethling, I had a good relationship with General Neethling, I held him in high regard, I have no reason to believe, and I have no knowledge that Dr Lothar Neethling was involved in any elimination or any such practices which could do bodily harm, grievous bodily harm, to anybody. Regarding my own personal involvement, all I can do is to say that I am surprised, if I were responsible for all the elimination, if I listened to all that, I would never sleep in my life. I deny that categorically. I was never involved in any elimination, whether the planning, execution or anything regarding any elimination.

MR VALLY: And then the third allegation I want to put to you, relating to the mandrax, the allegation that you offered to supply some individual with 100 000 mandrax pills a month for a year, and this is in the report which is headed:- "STAFF PAPER PREPARED FOR THE STEYN COMMISSION ON ALLEGED DANGEROUS ACTIVITIES OF SADF COMPONENTS - DECEMBER 1992 - TOP SECRET."

DR BASSON: Mr Chairman, I'm not a legal person, but I think I've already said that two previous allegations were absurd.

MR VALLY: Are you saying it's not true?

DR BASSON: I repeat, it is absurd.

MR VALLY: My final question to you is this, you're a medical doctor but you're also a brigadier and you're also project manager for Project Coast, why is it that you're the one person who's the link between the manufacturing facilities for biological components of the biological and chemical warfare, the chemical facilities, and you're the same person that runs around Europe buying methaqualone, a whole brigadier, doing all this by himself, why is it that you specifically were fulfilling these many roles, can you explain to us please?

DR BASSON: Mr Chairman, I can't answer such a question, it's an absurd question to state that I was the only link between production facilities on the one hand, running around in Europe on the other hand, I was not the only link, there was a big organisation, I was backed by the South African government, and the same allegations were made by the Americans when they alleged that I provided chemical information to Libya, I can't do something like that all by myself, I had a whole organisation, I had the backing of the government, and I could rely on their support. To allege that I was the only link, it happened that I was the project leader, yes, but to say that I was the only link and the only person who did everything is not so, I did not have the time, I could not have the time for all these things Mr Vally alleged. I was the project leader and I was associated with many things, I did many things, not one of them were illegal and not one of them led to the death or bodily harm to any person.

CHAIRPERSON: Thank you, Dr Basson. Dr Randera, you want to put one question.

DR RANDERA: Dr Basson, just one question, you joined the army in 1975, and in many senses, from what I've been hearing today, you dedicated your life to this, to the work that you were doing, whether it be in the Medical Battalion or in the chemical and biological warfare programme. Then, come 1992, at a very young age, I thought you were, you must have been 42 then, you're retired, by the President of the country, he didn't come to you directly, but through other means, and you hear that there was the Steyn Report, which you've commented on already, what was your feeling at the time?

I mean here you were, someone who'd dedicated yourself to protecting this country, and suddenly without any reason, or on what you say a flimsy report, you are dismissed at the age of 42, I understand you were brought in through other means back into the system, but officially you were dismissed from the army. Now, again, just let me add a second bit to that question, I

understand some of the other people who were also dismissed at the time challenged the decision. Were you one of those individuals too? So, first of all, your own feelings about why and how you were dismissed, having dedicated yourself to this institute, and secondly, and to the country, and secondly were you one of the people who actually challenged the decision?

DR BASSON: Dr Randera, I'd prefer not to comment on my personal feelings, other than to say I was nonplussed. It came as a great shock, I was not aware that it was going to happen. In actual fact, not even the project leader, General Knobel, knew that this was going to happen. In this evaluation of the programme by the so-called Steyn Report, nobody even took the trouble to speak to General Knobel, who was the project leader, and ask him if he knew what was going on at that stage. So I can't say anything, but I have contempt for that report and I don't think it's worth the paper it's written on. I also think that report affected the lives of several other generals, and, well not, and almost destroyed their lives and did a lot of harm.

In my personal capacity I have never challenged this decision, for two reasons. Maybe I was brainwashed, I was just a soldier and I accepted the decision of my superiors, if they say go, then I'll go, maybe that's a good quality of a soldier, he does what he's told.

A lot of trouble also was done for me by people in the Defence Force in order to correct this faulty report, and it was often negotiated with me and I was told that this process would be corrected, and after a time I was reinstated. I couldn't replace this, but a lot of people went through a lot of trouble to accommodate me, and this included certain government members, which I don't think it's necessary to mention their names, but it was handled on a very high level and I felt at one point that there was a true attempt to correct the faulty report and the facts, so that was one of the reasons why I didn't attack the dismissal, but I cannot think from my own personal experience it was a nice time in my life, it was not, and maybe we should look at my violation or my rights being violated.

CHAIRPERSON: And that brings us to the end of these proceedings. It is quite clear to me, from all that I heard from Mr Vally, that he would obviously have appreciated it if he had had more time. I also share that view.

It may well be that some questions need to be put, and therefore I would want to excuse you on the basis that should it be necessary, in line with your offer, or the offer that was made through your legal representatives, to approach you by way of written questions, that you will find it in your - to be able to reply to those questions, so that we can have a broader picture of all the issues.

I must myself express my own gratitude to the fact that, whilst appreciating that you were not waiving any of your rights, you however felt it was necessary, when I requested you to do so, to reply to questions, even though you were not legally represented, and it is something that we have noticed and we take into account, and we only wish you could have had the same courage yesterday, or I

wish I could have approached you differently yesterday and possibly we would have been where we would have wanted to be, but that is all now in the past.

As I say, for the moment you are excused, and should it be necessary for us to come back to you by way of written questions, we will do so.

These proceedings are adjourned.

COMMITTEE ADJOURNS